7

The Naked Truth.

The Second Part.

In Several INQUIRIES

Concerning the

CANONS

AND

Eccleſiaſtical Juriſdiction,

Canonical Obedience, Convocations, Procurations, Synodals *and* Viſitations.

ALSO OF THE

Church of England,

AND

Church-Wardens.

AND

The Oath of Church-vvardens.

AND OF

SACRILEDGE.

Edward Hickeringill.

Blanditur Cathedra? Specula eſt. Inde deniq; ſuperintendis,
Sonans tibi Epiſcopi nomine, non Dominum ſed officium.
Alta ſedens, non alta ſapiens; ſed humilia de te
Sentiens, humilibuſq; Conſentiens.
Præſis ut proſis, debitor non Dominator.
Bernard. lib. 2. *de Conſideratione.*

LONDON,
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THE

EPISTLE

To the

READERS.

Curteous Reader,

NO *man does* more Reverence *Good Biſhops than my ſelf, nor does any man* leſs dread *them with a* ſlaviſh *fear: I* admire *them at my diſtance, but I do not* Idolize *them; I* honour *them, but I do not fall down and* worſhip *them; I can ſay---* My Lord, *and* (*yet not add*)--- My God.

Nor will you find in this enſuing Inquiry, the leaſt Tang of Bitterneſs *or yellow Choler; No, nor ſo much as one* tart *or harſh Expreſſion; being ſo far from juſtly* diſguſting *any, that I ſhall not ſo much as ſet* their Teeth on Edge; *ſo* inſipid *and ſimple an humour have I cheriſht all along through this whole Diſcourſe,* (*for fear of any* Satyrical *mixtures*) *that I doubt you will ſcarce find any* Salt, Savour *or* Smacky Relliſh *here, 'twill ſcarce* bite the Tongue *of a Sinner.*

Solomon *ſays, That* men of underſtanding are of excellent Spirits (*To render the words literally from the Original*) Men of underſtanding are long-no'sd: אֹרֶךְ אַפַּיִם *which the* Septuagint *Tranſlate* μακρόθυμος, (*that is*) *A man of underſtanding is* Long-breaſted, (*metaphorically put for*) Patient; *His heart is* not near his mouth, *he is* not eaſily Provoked; *and therefore men will neither ſhew their* Wit *nor* Grace, *to be angry* (without a cauſe, *without* a good and honeſt *cauſe*) *at what is here Writ: Let us rather ſay,* (*with that good* German Emperor) *We ought to be angry with* our Sins, *not with our Friends, that* tell us of them. Prov. 17. 27.

Yet I cannot ſay, (*in truth*) *that I have* concealed my name *becauſe I have no ſkill nor ſtrength to bear* good and evil report *with Equanimity.*

For I bleſs Almighty God, that as his Providence has exercis'd me, with both, *in no ſmall meaſure; ſo I have found by long and large experience, His ſtrength in my weakneſs, that I can ſay without vain boaſting, I walk* (without much concern) *by Honour and Diſhonour, by evil Report and good Report.*

Nor is it becauſe I am afraid or aſham'd *at any thing here writ, that I thus appear on the publick Stage in* Maſquerade, *in ſuch Diſguiſe to walk* Incognito;

But, the Subject (*of my Inquiries*) *leads me neceſſarily, to rake in a* Neſt of Waſps *and Hornets,* (*peeviſh by nature, more enrag'd by Intereſt*)

tereſt) *thus to be diſturb'd of a warm neſt, and therefore would certainly* buzze *about my Ears, If I were not thus* muffled *and Hooded up.*

Yet, I hope though, I have here diſarmed them of their Weapons, by taking the Sting *out of their Tails,* (*at leaſt*) *the* Venom, *that though they may yet make a* Humming Noiſe, *yet they ſhall be as* Stingles *as Drones.*

Beſides, I am neither of the Race of the Decij, *nor of the* Curtij, *to ſacrifice all my quiet to the Publick-good in this thankleſs Age, wherein many men are of ſo* curriſh *a diſpoſition and ſo us'd to the* Collar *about their Necks, that they are ready to* ſnap *at thoſe Fingers that would* pull it off.

But however; (*in ſhort*) *What Wiſe man would be content to be* a Butt, *to be ſhot at, though* Arm'd Cap-a-pee *with Armour of Proof?*

The inconvenience (*for it wants not ſome*) *of allowing* to the Preſs this Liberty, (*ſo* natural *and agreeable to our* Engliſh *Complexion and Conſtitution, and the* Common-mother of the Naked Truth, *which is uſually* begot *betwixt this bandying* Pro *and* Con) *cannot poſſibly equal that of making a* Monopoly of the Preſs; taking in the Commiſſion, *and confining it to a certain* ſet *of men that would ſeem* to keep the Key *of Knowledge and the Preſs, and they* neither enter in themſelves, and they that would enter in, they hinder; *like* ſurly Porters, *that uſually* keep out *better men than they* let in.

2 Cor. 13. 8. *Magiſtrates and good Biſhops ſhould ſay with St.* Paul, *We can do nothing* againſt the Truth, but for the Truth: ὑπὲρ τῆς ἀληθείας, (*that is*) We have no power (*as the Original imports*) *to do any thing againſt the Truth, but for the Truth.*

Nor has all the Biſhops in England any power over us, (*although they had as lawful a Commiſſion for their Spiritual-Courts and Juriſdiction as once they had*) *more than St.* Paul *had over thoſe* Corinthians,

2 Cor. 13. 10. *which he confeſſes, in the Tenth Verſe, was for* Edification, *not for* Deſtruction.

A good Magiſtrate may do a man good, ſo may a good Biſhop, but neither of them have power, any lawful Power, *given them to do harm or wrong.*

And if they chance to find me out notwithſtanding my Diſguiſe, I'le anſwer for every title here declared; with the words of our Bleſſed Redeemer— If I have ſpoken Evil, bear witneſs of the Evil, but if Well, why ſmiteſt thou me?

And I am ſure, what is here pretended has no deſign in the world, but purely, (*in all* Humility *and* Love to Truth *and*) *the Publick-weal; And if in any thing I be miſtaken, my* Errors *ſhall never be* Hereſies, *none ſhall* (*upon a rational Conviction*) *more readily and willingly retract them than my ſelf.*

1 Tim. 6. 17 *One would wonder a little at firſt at that Paſſage*; 1 Tim. 6. 17. *where the Apoſtle* gives the Charge *to* Rich-men, *that they be* not high-minded, *ſince* Poor and Proud *is true to a Proverb.*

The Latines *by one and the ſame word expreſs a man* humble *in mind, and* humbled *with afflictions, they are ſo near of Kin; and the way, God uſually takes to make a man* humble, *is to* humble him, (*as he did* Nebuchadnezzar) *by afflictions.*

For

The Epiſtle to the Reader.

For Proſperity puffeth up *and* ſwells *a man naturally*; *and if through Grace a Rich-man be not high-minded, he had need keep a conſtant* Watch and Ward *over his mind, for* heigth *will* tempt *his* mind *to be* high-minded *and proud, as* Lucifer.

Thus have I ſeen a man ſtretch *and ſtand on* tip-toe, *and* ſtalk *in High-Shoes upon a Church-Steeple, and look with ſcorn on all* below; *and yet, if he had ſtood* on even ground *and* meaſured fair *with thoſe Inferiors he* deſpis'd, (as Pigmies,) *he would not be able to* reach their heads.

In climbing (*Maſons and Carpenters well obſerve*) *whilſt men* look upwards, *they cannot be* giddy-crown'd, *vertiginous and turn-ſick*; *but if they* look down, *'tis odds but their* Brains turn round, *till they fall:*

'Tis moſt true in Morals *and in* Divinity; *whilſt men though never ſo high-mounted look* upwards ſtill *to Heaven, they'l ſay with King* David, *in all humility*— I am a worm and no man——

The Contemplation of the Vaſtneſs and Glory of Heaven (*as* Cicero *obſerves in* Somnio Scipionis) *will make them beſt ſee what a pittiful* Spot (*in Compariſon*) *the* whole Globe *of the Earth is, and the glory of it; and much more with humble Eyes reflect upon their own pittiful* punyſhips.

But if they are always looking downwards *upon the* many *under them, their Brains uſually* Crawl *with ſcorn, pride and diſdain, and* turning Giddy *they forget themſelves, till they* catch a fall, *if not their Ruine.*

And though they may pride themſelves *and* ſtrut *in their* High-Shoes, *and take delight in* expoſing *their Inferiors* (*whom they ought to protect*) *to* contempt *and ſcorn; or* for ſport *ſuffer them to be baited by Dogs, and perhaps cry,* Hullou; *'Tis ten to one but they meet at ſome time or other with ſo Rugged a Repartee, as to make them ſick of ſuch* Unchriſtian-Games, *and ſometimes to their ſhame, expoſe alſo the* knotty ſide *of their own gay Arras, and prove that* all is not Gold that gliſters.

Popery *and* Mahometiſm *were born both in* one *and* the ſame *Century, and had* one and the ſame *Midwife, namely,* Ignorance or Barbariſm.

Truth and the Preſs would ſtifle them both, *and the* Turk *knows it as well, and therefore Politickly prohibits Printing: ſo alſo doth the* Pope *prohibit* (*what he can*) *all Printing, but what paſſes with his own* Imprimatur's; *and ſome others alſo would have the Preſs at the* ſame lock, *and they alone to keep the* Key.

And thus whilſt men hear but of one Ear, *and from one Mouth, they are kept in ignorance and ſeldom grow wiſer than the* Pope and Conclave, *that Excommunicated* (Galileo *I think it was*) *for holding the Motion of the Earth.*

For Errors and Superſtition, Tyranny *and Oppreſſion* (*like* Owls, *and all other works of darkneſs*) *hate the light, and cannot endure to be ſeen* by day-light; *whereas the Naked* Truth ſeeks no Corners, *is* bare *indeed, but is* not (*nor needs not to be*) aſhamed.

Lording over Gods Heritage, καταϰυριευοντες τῶν ϰλήρων, Dominantes Cleris, 1 Pet. 5. 3. *Domineering over God's People, was never the mind of Chriſt,*

Chriſt, nor St. Peter; *nor had ever any Biſhops any ſuch lawful Commiſſion,* (*even when the High-Commiſſion-Courts were up, whereby alone they had Authority and Juriſdiction Eccleſiaſtical*) to Lord it over Gods Heritage.

No, *no*; *It is the Reliques of the* Luciferian Pride *of that* Grand Impoſtor, *that ridiculouſly ſtiles himſelf---- The* Succeſſor *of St.* Peter, *yet imitates him in nothing, but in* denying his Maſter; *that ſets his inſulting Toe upon the Necks of Kings and Emperors, enſlaves mens Bodys and Eſtates, as well as Souls, whereſoever he can domineer: 'Tis this*
Luk. 22. 24. *Prelatical Pride, this* Exerciſing Dominion, like the Princes of the Gentiles, *which is here condemned*; *And is but a* Brat *of Popery, whereever the* Changeling *is found, and which our Bleſſed Saviour would baniſh from amongſt his Clergy,* Luk. 22. 25. It ſhall not be ſo amongſt you.

But ſay ſome, It ſhall be ſo though, *let Chriſt and Laws, let* God and Man, *ſay what they will*; *at leaſt, ſome men would* practiſe it *ſtill, which is worſe than* ſaying *ſo*; *but* Rome was not built (*nor cannot be deſtroyed*) in one day.

THE

THE

NAKED TRUTH.

The Second Part.

THe Biſhops and Convocation held at *London Anno Dom.* 1552. In the Reign of King *Edward* 6. whereof many of them were *Martyrs* at their Death, as well as (the firſt) *Reformers* in their life-time, in their Articles (now uſually called, *The Articles of the Church of England*) the 19. 20. 21. I meet with very remarkable Paſſages to begin this Diſcourſe.

ARTICLE 19.

Eccleſia Chriſti viſibilis eſt cætus fidelium, in quo verbum, &c, 'The viſible Church of Chriſt, is a Congregation of faithful men, 'in which the pure Word of God is Preached, and the Sacraments be 'duly Adminiſtred according to Chriſts Ordinance, in all thoſe things 'that of neceſſity are requiſite to the ſame. (*where note by the way, 'that a Pariſh-Church may be the right Church of Chriſt by this De-finition.*)

'As the Church of *Jeruſalem*, of *Alexandria*, and of *Antioch* hath 'Erred; ſo alſo the Church of *Rome* hath Erred; not only in their living, 'but alſo in matters of Faith.

ART. 20.

'IT is not Lawful for the Church to Ordain any thing that 'is contrary to Gods Word written, neither may it ſo expound 'one place of Scripture, that it be repugnant to another, wherefore 'although the Church be a Witneſs and Keeper of holy Writ, yet as it ought not to Decree any thing againſt the ſame, ſo beſide the ſame 'ought not to enforce any thing to be believed, for neceſſity of Sal-'vation.

ART. 21.

'GEneral Councils may not be gathered together without the 'Commandment and Will of Princes, And when they be ga-'thered (for as much as they be an Aſſembly of men whereof all be not 'Governed with the Spirit and Word of God) they may Err, and ſome-'times have Erred, not only in worldly matters, but alſo in things per-

'taining unto God. Wherefore things Ordained by them as neceſſary 'to Salvation, have neither ſtrength nor Authority, unleſs it may be 'declared that they be taken out of the holy Scripture.

Whence it is evident, that by the *Articles* of the Church of *England*, *men*, the *beſt* of them, are *ſubject to Error*; which if true, (and very few except the *Pope*, and *Papiſts* do deny) Then with what Front can any *Synod* or *Aſſembly* of men Anathematize, and Damn, and by Excommunication *deliver* to the *Devil*, all that obey not *their Canons* and Decrees, except thoſe Decrees be evident from the plain and undiſputed ſence of Holy Scriptures?

For if it be acknowledged that they *may be* in the *wrong*, then others that they condemn *may be* in the *right*, and *owned* by God though *diſowned* by frail men?

The Popes, whereof (their own Writers ſay) ſome have been *Arrians*, and denied the Divinity of Chriſt, as Pope *Liberius*; ſome Idolaters, as *Marcellinus*; ſome Atheiſts, as *Alexander* 6. and *Leo* 10. that ſaid

Hem! quantum reddit nobis hæc fabula Chriſti?

and *Sextus* 4. that built a Male-ſteres, for Sodomy: ſome Conjurers and Sorcerers, as *Martin* 2. *Silveſter* 2. *Joh.* 19. *Joh.* 20. *Joh.* 21. *Silveſter* 3. *Benedict.* 8. *Sergius* 4. *Gregory* 6. and many others, which ſee at large in the lives of the Popes, Writ by one of their own Secretaries *Platina*.

Platina, de vit Pap.

But I love not to *rake in this ſink*, nor had I mentioned it here, but as neceſſary to my deſign in ſhowing firſt, all men are Erroneous, none Infallible: no, not the Pope himſelf, as the * *Rhemiſts* vainly vaunt and ſuppoſe. And ſo ſays [a] *Coſterus* the Jeſuit; and alſo [b] *Didacus Stella*, *Suarez*, *Stapleton*, and many others, and indeed the whole Fabrick of their ſtrange Religion is built on this rotten foundation. Whereas the Church of *Jeruſalem*, on whom the Holy Ghoſt deſcended, chang'd their Opinions if not their Canons, concerning the obſervation of Circumciſion, and the *Moſaical Ceremonies*: for *Acts.* 15. they *required not* thoſe Ceremonies: but *Acts.* 21. they *did require* them; nay, St. *Peter* himſelf would not eat with an uncircumciſed Chriſtian; *Gal.* 2. if a Jew was preſent; notwithſtanding he was one that made the Canon to the contrary; *Acts.* 15. And St. *Paul* that reproov'd his inconſtancy; *Gal.* 2. and would not Circumciſe *Titus*; yet had *Timothy* Circumciſed. *Acts.* 21.

* Teſt. Rhem. Annot. Mat. 23. 2.

[a] Enchir. Cont. cap. 3. de Sum. Pont.

[b] Stella. in Lucæ. cap. 9.

Acts. 21. Gal 2.

Acts. 15.

If the Pillars of the Church warp, can we think any other Canon-makers of the Church are infallible, ſo that we muſt believe all they Decree in ſpight of our Teeth, or elſe by Excommunication——*Take him Devil*; and forty days after——*Take him Jaylor*?

This is, like the *Muſcovites*, that acknowledge no Chriſtians but themſelves, and the Greek Church; or like the *Donatiſts*, that confined the Church of Chriſt to themſelves, at leaſt within the bounds of *Africa*; which was a larger extent than was afforded by the *Family of Love*, and many of our *Sectariſts*: whoſe Opinions in this kind are derived from *Rome*, like that of Pope *Agatho* 1. That commanded that all the Popes Decrees ſhould be taken for the Oracles of God, and as true, as if pronounced by the Mouth of God, though *contrary* to Holy Writ.

Gratian. Diſt. 16.

Thus the Council of *Trent* Decreed, that the Church (that is) themſelves, had power to change the Sacraments. And the Council of *Conſtance*

Conc. Trident. Sect. 5. Can. 2.

ſtance did change the Inſtitution of the Lord's Supper, by Robbing the Laity of the Cup with a *non obſtante* to Chriſts command.

But now henceforth (this being premiſed) I'le keep to our own Canons and Canon-makers; of which,

Query I.

Whether Eccleſiaſtical-Canons *that want the* Stamp *of Legiſlative-power* (*or* Acts of Parliament) *are neceſſarily binding and* of force *to us* Engliſh-Proteſtants?

And *this Inquiry* was occaſioned by a late Diſcourſe or Sermon, Preached by the Reverend Doctor *Stilling-fleet*. May 2. 1680. at *Guild-hall*, upon that Text. *Phil.* 3. 16. Whence he exhorts (in the words of his Text) his Auditory; to walk by the ſame Rule or Canon, τῷ αὐτῷ στοιχεῖν κανόνι. yet *Canon* is not found in ſome Greek Copies, as one has, in anſwer to the Doctor, already very ingeniouſly obſerved.) Miſchief of Separation. Miſchief of Impoſitions.

But the accurate Mr. *Baxter* very pertinently in a Letter to the Doctor, puts him upon declaring, what is *this ſame Rule* or Canon, and *who* makes it? (which one would think, ſhould be very neceſſary, and one of the *firſt* things, as a *foundation*, on which ſhould be *built* any pertinent or rational Diſcourſe:) For if *one certain* Rule or Canon be not agreed upon, it is impoſſible to know when we ſtraggle, and walk diſorderly, deviate and Err.

And alſo if Preachers that exhort (as they ought) to walk by the *ſame Rule*, and yet do not declare what that ſame Rule is, and who is the *Rule-maker*, the Canon-maker, or Law-maker; they had as good ſay nothing at all.

But the *wary* Doctor waves the anſwer to Mr. *Baxter*, and either *would not*, or *could not*, or *durſt not* declare, what is the *Canon*, and the Rule; and *Who* are the Rule, or *Law-makers?* very wiſely foreſeeing that Mr. *Baxter* had got him upon *the Lock*.

For it had been dangerous for a Proteſtant Doctor to deny the King and Parliament to be *the only* Law-makers, or Rule, and Canon-makers.

But on the other hand, if the Doctor had declared againſt *the Paſtoral-Head* and Synod (who ſtil'd themſelves the *repreſentative-Church*, and no man, in pain of Excommunication, to dare to derogate from their Authority) poſſibly he might fear to come *within danger* and reach of the Biſhops Canons, at leaſt he might fear he had in ſo doing arriv'd at the *Pillars of Hercules*, and the *ſtraights*, the *nè plùs ultrà* of his Preferments. Can. 139. 140. 141. *Anno* 1603.

But no *private-ends* ought to Byaſs any man, or *ſtop his mouth* from ſpeaking out and plain ſuch a neceſſary Truth, for want of adjuſting this Query, What is truth? What is the Canon? the Rule, *this ſame Law* we ought all to walk by that we may all *ſpeak the ſame things?*

For, *if the Trumpet gives an uncertain ſound*, (an undiſtinct ſound) *who ſhall prepare himſelf to the Battle?* 1 Cor. 14. 8. 1 Cor. 14. 8.

If one Clergy-man *ſounds a Retreat*, whilſt others ſound—*Boots and Saddles—To Horſe, To Horſe*; Into what confuſions will the diſtracted people run? and no wonder,

For certainly this is the great cauſe of our Diviſions, not to be remedied

died (at leaſt not till agreed among our ſelves and) till we walk after the ſame Rule.

For *uniformity in Religion* ought to be the endeavours as well as
Rom. 15. 6. Prayers of all true Chriſtians, that all of us may, *with one mind and one mouth* (too) *glorifie God, even the Father of our Lord Jeſus Chriſt.* Rom. 15. 6.

But how is this Poſſible, or that Chriſtians ſhould ſpeak the ſame things, and walk by the ſame Rule, when this Rule is not agreed upon, no, not (as aforeſaid) among our ſelves?

For if the Acts of Parliament (the univerſally-*confeſſed-Law* of *England*, even in *Religion*) be the Rule or Canon, and the *King and Parliament* the *only* Law-makers or Canon-makers (as who dare deny, (now that the Popes Hierarchical Head is cut off) without Incurring a *Præmunire*) And that can, and (being *the only Repreſentatives* of the People of *England*) alone ought to make *Acts of uniformity* in Religion, and of all other things eſpecially to have a care of Religion, and a *watchful eye over* Religious men; Then how comes *the Convocation* to call
Can. 139. 140, 141. *An.* 1603. themſelves the *Repreſentative-Church of* England? and thunder out Excommunication, which (with them) is eternal Damnation, if men die before they recant and publickly repent their wicked Error, in thinking to the contrary?

And ask any of the Convocation at this day, if they alſo do not look upon themſelves (and value themſelves) as the Repreſentative-Church of *England*, and they will not ſurely deny it; For if they be not that, what are they?

But though thoſe that made the *Canons* in 1603. might in ſome ſenſe be called the Repreſentative-Church of *England*, and ſo alſo were that *Synod* of *London* that made the Canons *Anno Dom.* 1640. which are commonly called the *Lambeth-Canons*, and are Damn'd already, as I'le demonſtrate beyond all contradiction, if any dare deny ſo great and evident a Truth.

Yet the Synods and Convocation now adays, have not the Authority they had, they are ſcarce the ſhadows of thoſe Synods, and yet the *Authority alſo of thoſe Synods* in 1603 and 1640, and all they did is *now abrogated* and taken away by Act of Parliament, and their very beings Annihilated, and made of no force, power, ſtrength, nor vertue; as I ſhall ſhew hereafter; much more, the Synods and Convocations at this day, who are ſo far from being the Repreſentative-Church of *England*, that the *people of England* have not the *leaſt vote* or ſuffrage in their Election; they have not any *hand*, (I had almoſt ſaid nor *heart* neither) in the choice, I am ſure nor *head* in it; I mean, their advice is not askt about it.

Nor indeed (as I ſhall prove hereafter) are theſe Synods fairly Elected *by the votes* and ſuffrages of the *Clergy*, the Inferiour Clergy; and ſo alſo are not ſo much as *the Repreſentatives of the Clergy*;

For though the Generality of the people heed them not ſo much; yet they look upon the Inferiour Clergy to be at their Beck, and *ſtill* within *their Clutches.*

And to that purpoſe, to make them eaſie and *gentle* to be ridden, and to bear, (like *Iſſachar*) all the *burdens* they impoſe, without daring to kick it off; they *mouth them*, before they *back* them, with an *&c. Oath* (in the *6th.* Canon of 1640.) *of Canonical obedience*; which if they

they had not a good *Swallow* would *choak* them in the going down.

But (finally my Babe of Grace) forbear
&c. will be too far to Swear;
For 'tis (to ſpeak in a familiar Stile)
A Yorkſhire *Wea-bit* longer than a Mile.

Cleveland's Poems.

This pretty *&c. Oath* of *obedience Canonical*, is in theſe words. Can. 6. of 1640.

I A. B. *Do Swear, That I do approve the Doctrine, and Diſcipline, or Government eſtabliſhed in the Church of* England, *as concerning all things neceſſary to Salvation: And that I will not endeavour by my ſelf, or any other, directly or indirectly, to bring in any Popiſh Doctrine, contrary to that which is ſo eſtabliſhed: nor will I ever give my conſent to alter the Government of this Church; by Arch-Biſhops, Biſhops, Deans and Arch-Deacons,* &c. *as it ſtands now eſtabliſhed, and as by right it ought to ſtand, nor yet ever to ſubject it to the Uſurpations and Superſtitions of the See of* Rome: *And all theſe things I do plainly and ſincerely acknowledge and Swear, according to the plain and common ſenſe and underſtanding of the ſame words, without any equivocation, or mental evaſion, or ſecret reſervation whatſoever. And this I do heartily, willingly, and truly, upon the Faith of a Chriſtian. So help me God in Jeſus Chriſt.*

And if any man Benificed or Dignified in the Church of *England*, or any other Eccleſiaſtical perſon ſhall refuſe this(*&c.*) *Oath*, The Biſhop ſhall give him *a Months* time to inform himſelf; and at the Months end, if he refuſe to take it, he ſhall be Suſpended *ab officio*: and have a *ſecond Month* Granted, and if then he refuſe to take it, he ſhall be Suſpended *ab officio & beneficio*, and have a *third Month* granted him for his better Information; but if at the end of that Month he refuſe to take the Oath abovenamed, he ſhall be *deprived of all* his Eccleſiaſtical Promotions whatſoever, and execution of his Function which he holds in the Church of *England*.

Solomon ſays, The *mercies of the wicked are cruel*: but whether the *Imprudence* or the *Impudence*; the *ignorance* or the *audaciouſneſs* be greater, for men at this day *to dare* to put thoſe Canons in execution, and to *Quote* them, and give them in charge, as Rules, and Canons, and Laws to the preſent Clergy, when they are condemned by 17. *Car.* 1. 11. and alſo by 13. *Car.* 2. 12. Query. What Penalty they do incur that *dare ſet up* Laws in Defiance of the Statutes of this Realm, to enthral the Kings Liege-People? Prov. 12. 10.

For both Laity and Clergy are in a fine *Dilemma* at this wicked rate.

Since that whoſoever denies the King and Parliament to be *the only* Legiſlators, or affirms that the ancient Hierarchy of the Pope is yet in being, or that any other have power to make Laws in this Realm, *contrary and Repugnant* to the Kings Prerogative-Royal, or the Cuſtoms, and Laws or Statutes of this Realm, ſhall be puniſht &c. on the one hand. (For what skill's it, to *cut off*, the Popes Prelatical, Hierarchical, or *Paſtoral-head* and ſet up (with a new-name) *another in the Room* of it, whether Presbyterian, Fifth-monarchy, Prelatical, or any *other Bigots*; this is to cut off *Hydra's head*, when another *as bad and alike* (*as two twins*) ſtarts up in the *Room* of it.)

But, *on the other hand*, if either Clergy or Laity derogate from Holy Synod, and do not acknowledge it to be the Repreſentative-Church of *England*, and that dare affirm, that the Government of the Church by Arch-Biſhops, Biſhops, Deans, Arch-Deacons, and the reſt, or &c. is Antichriſtian, or contrary to the word of God, ſhall be Excommunicated, never to be abſolved, until they repent, and publickly revoke this wicked Error.

Can. 139 140. 141. *Anno* 1603.

Can. 7. 1603.

I know ſome that have as good a *Swallow as the beſt* Latitudinarian of them all; but of all *cornute things*, they moſt dread a *Dilemma*, for though you eſcape one horn, you are catcht and toſt upon the other.

To affirm the Pope or (*any thing like* the Conclave) any other Paſtoral head to be the Supream head and Governor of the Church, is to incur a *Præmunire*, by denying the Kings Supremacy, as alſo by denying the King and Parliament to be *the only* Legiſlators; (And there is not a Proteſtant in *England* (if a Lay-man that dares, or does deny the Kings Supremacy, and that the *King and Parliament are the only* Legiſlators, Law-makers, or Canon-makers:)

Nay, the Lay-men are not much afraid to ſay, that the Government of the Church by Arch-Biſhops &c. or & *Reliquos*, (whether *Commiſſaries*, *Officials*, *Arch-Deacons*, *Sumners*, *or Apparitors*, *Surrogates*, *Regiſters*, *deputy Regiſters*, *Canons*, *Petty-canons*, *Prebends*, *Reſidentiaries*, *Non-Reſidentiaries*, *Chapters*, *Chanters*, *Precenters*, *Rural-Deans*, *Sub-Deans*, *Vicar-Generals*, *Lay-chancellors*, &c. (which laſt are a kind of *Lay-elders*, which we laugh at in the Presbyterians) are not found, nor (in the leaſt) mentioned in the word of God, although they are threatned with Excommunication; which (in their ſenſe) is (*eternal damnation*) (until they recant) publickly;) and within 40 days (after Excommunication) *the Goal.*

But the Clergy men (*poor Souls*) they are hamper'd with *an &c. Oath* of Canonical obedience; dare not ſay any thing in defiance of that &c. Oath, though it be condemned (which they honeſt men do not know, at leaſt, very few of them) by Act of Parliament: namely by the 13. *Car.* 2. 12. as aforeſaid.

25. *H.* 8. 19.

The Statute 25. *Hen.* 8. 19. condemns the Popes Supremacy, and all Hierarchy and Canons which were prejudicial to the Kings Prerogative-Royal, and to the Laws and Statutes of this Realm; and gives Power and Authority to the King. (*Hen.* 8.) to nominate and aſſign at his pleaſure *thirty two* Perſons of his Subjects, whereof ſixteen to be of the Clergy, and ſixteen of the Temporality (*Some Lay-elders then in thoſe times*) of the upper and nether Houſe of the Parliament, to view, Search, and examine the Canons, Conſtitutions, and Ordinances Provincial and Synodal heretofore made, and ſuch as they judg'd worthy to

to be continued, ſhould from thenceforth be kept and obeyed.

But I never heard that theſe Commiſſioners did ever do any thing *to the purpoſe.*

Yet this Power of granting Commiſſions and Authority of this nature, was by 1. *Eliz.* 1. for ever united and annexed to the Imperial-Crown of this Realm; and upon *this Statute* and *foundation* was *built* the *Star-Chamber* and High-Commiſſion-Court, and the Authority of all Canon-makers Synodical.

But *down came the Fabrick* by repealing. 1. *Eliz.* 1. in 17. *Car.* 1. 11. and alſo in and by 13. *Car.* 2. 12.

By which laſt Statute that unreaſonable Oath alſo *ex officio*, (by vertue whereof the Spiritual Courts if a man had lain with a Wench, or a Wife had plaid foul play, if examined by every little Surrogate and Regiſter, muſt either be *their own accuſers*, or by Perjury *damn themſelves*) was abrogated alſo and taken away, together with that ſame *choaking &c. Oath*, and for company all the Fraternity thereof, and Fellow-canons of 1640. and Proviſion made by ſtriking at the foundation 1. *Eliz.* 1. (on which their High-Commiſſion-Courts were built) that no more Commiſſions be granted by his Majeſty for the future; but the Spiritual-Courts by that Statute of 13. *Car.* 2. 12. juſt *in ſtatu quo*, wherein they were. 1639.

Now, will it be worth the while to conſider what State they were in 1639? *no great, Ile warrant*, if their Baſis on which their Star-chamber and High-Commiſſion-Court were built, be taken away.

For the ſaid Statute of 13. *Car.* 2. 12. does not only provide againſt the Canons made in the year 1640. but alſo againſt any other Eccleſiaſtical Laws *not formerly confirmed*, allowed, or Enacted *by Parliament* (which the Canons of 1603 never were) or by the eſtabliſhed Laws of the Land as they ſtood in the year of our Lord 1639.

So that it is not ſo difficult to get out of *this Labyrinth* that does ſo puzzle many men, as ſome do imagine.

For all Eccleſiaſtical Juriſdictions till the Statutes of *Hen.* 8. to the contrary were derived from the Pope as Supream Head of the Church: This Head being beheaded, the Supremacy was veſted in the Crown, and for Rules and Canons to walk by, King *Hen.* 8. was *empowred* by the Statute aforeſaid to nominate 32. Commiſſioners, one Moiety *Lay*, and the other *Clergy:* yet they did nothing, (perhaps for that reaſon.)

But 1. *Ed.* 6. 2. This great *Flower of the Crown* is taken care for, and not for *ornament only*, but for weightier reaſons it is Enacted, that all Proceſſes Eccleſiaſtical, Summons, Citations *&c.* be from the firſt day of *July* then next following, made in the *name* and with the *Stile* of the King as it is in Writs original or Judicial at the Common-law; and the *Teſt* thereof in the name of the Arch-Biſhop, or Biſhop, or other having Eccleſiaſtical Jurisdiction, who hath the Commiſſion and grant of the Authority Eccleſiaſtical immediately from the Kings Highneſs, and that his Commiſſary, Official or Subſtitute exerciſing Jurisdiction under him, ſhall put his name in the Citation or Proceſs after the *Teſt.*

So that if there *be any Eccleſiaſtical* Jurisdiction in *England, diſtinct* from his Majeſties Lay-Courts, they muſt be ſuch as acknowledge his Majeſties Supremacy above their Hierarchy, and as a Teſtimony thereof all their Proceſſes Eccleſiaſtical, Citations, Summons, *&c.* ought to be made in the *name* and with the *Stile* of the King, as it is in Writs ori-

original and judicial at the Common law: and alſo the Kings Arms Engraven in the Seal of their Spiritual Court.

Oh! but this would be to buckle and ſtoop, and thruſt the Hierarchy and holy Paſtoral Head under a Lay-girdle (for though the Pope be exil'd this Realm, it is hard to exile the Hierarchical Spirit, witneſs the Fifth-Monarchy men, Presbyterians, and *you know who*) they'le keep *no Courts at all* firſt; no; *will they not?* Then who cares? who are the Loſers? *If they go thereto*, and be ſo Pettiſh.

And it is a proper *Query*, what penalty they have and do incur by keeping their Spiritual Courts otherwiſe (which were firſt founded upon the Popes Title, and ſince that determination) now veſted in his Majeſty, as all other Courts (good reaſon and Law too) and all their original and judicial Proceſſes ought to be in his Majeſties name, and under the Seal of his Majeſty, as a token of their due Homage, by ſtriking Sail, and *lowring* their *old* rotten, *over-worn Top-Sayls* to the *Kings-Flag*.

'Tis true, the ſaid Statute of 1. *Edw.* 1. 2. is repealed by 1. *Mar.* 2. but I care not for that, for it is revived again by Repealing. 1. *Mar.* 2. in the Statute 1. *Jac.* 25.

And 'tis well worthy our obſervation what (1 *Mar.* 2.) The Biſhops and Clergy of the *Province of Canterbury* (in their Convocation aſſembled) do acknowledge and confeſs in their Supplication to their Majeſties *Philip* and *Mary*) in theſe very words: *Inſuper Majeſtatibus veſtris Supplicamus pro ſua Pietate efficere dignenter ut ea quæ ad Jurisdictionem noſtram & Libertatem Eccleſiaſticam pertinent, ſine quibus debitum noſtri Paſtoralis officij & curæ animarum nobis commiſſæ exercere non poſſumus, nobis ſuperiorum temporum injuriâ ablata, reſtituantur, & ea nobis, & Eccleſiæ perpetuò illæſa & ſalva permaneant; & ut omnes leges, quæ hanc noſtram Jurisdictionem & libertatem Eccleſiaſticam tollunt, ſeu quovis modo impediunt, abrogentur &c.* (that is) Moreover we do in all humility Petition your Majeſties, That out of your great Piety you would vouchſafe to make ſuch Proviſion, That thoſe things which belong to our Eccleſiaſtical Jurisdiction and Liberties (without which we cannot duly diſcharge that Paſtoral Office and cure of Souls committed to our Care) and taken from us lately by the Iniquity of the Times) may be again reſtored to us, ſo that they may for ever remain inviolate and ſafely ſecured, and aſſured to us and the Church; And that all the Laws (which have taken away, or do any ways hinder our Eccleſiaſtical Jurisdiction and Liberties) may be made null and void.

Here's ado and a whining for their dear Eccleſiaſtical Jurisdiction, and Liberties, which (the *Convocation themſelves being Judges*) were at that time taken from them and abrogated; and if *ſince that time* they have not catch'd it again, 'tis to be fear'd, *'tis deſperate* now, and never to be retriev'd.

But Queen *Elizabeth* was enabled and *empowred* ('tis the words of the Statute) to retrieve their Eccleſiaſtical Jurisdiction by granting them Commiſſions to that purpoſe; of which *large Power granted by Parliament*, they made ſuch large uſe, as is complained in 17. *Car.* 1. 11. (at Large;) againſt *Magna Charta*, &c. (which I am loath to repeat, but would willingly have it lie Buried, and never riſe up in Judgment againſt any Succeſſors as ſeem to be of the *ſame ſanguine* complexion,) that 13. *Car.* 2 12. Damns all ſuch Commiſſions for ever, and that his Majeſty

Majesty nor his Successors shall never grant them any more; Repealing 1. *Eliz.* 1. their great Foundation. So that we are come at length to *an easie Resolution* of the *Query*.

For if the *Spiritual Courts* be askt the question, *By what Authority they do these things*, and who gave them this Authority? Whether *God* or *man*?

Not God; (for certain;) because there is not the least *Specimen* of *Chancellors*, *Registers*, *Sumners*, *Officials*, *Commissaries*, *Advocates*, *Notaries*, *Surrogates*, &c. or any *ejusdem farinæ* in Holy Writ.

Nor from Man; because his Majesty has by Statute Enacted never to Empower them with any more Commissions to the worlds end.

But if they pretend they have it *ab origine*, (as was their original) from that old Hierarchy of the *Pope that founded* them, they incur a *Præmunire*; (*the greatest of punishments* on this side death) nay, any might kill a man attainted in *Præmunire* without being prosecuted as an Homicide, till *Eliz.* 5. 1. took away that severity; but at this day they forfeit *goods and liberty*, but not life.

So that if the Question (I say) be put to them concerning their Ecclesiastical Jurisdiction and Spiritual Courts (as in another case it was put by our Blessed *Saviour* to the Pharisees) *Is it from Heaven or from men*?

I fear all *their Learned* Doctors of their Canon-Law must answer, as the Pharisees did, *We cannot tell.*

And if so, I think, *they have brought their Hogs to a fine Market*; if after all *this Cry*, there appear to be *so little Wool*; who'le give five hundred pounds for a Chancellors-place, and as much or more for a Registers-place?

And though the Clergy or others might (by the Kings Commission) make Laws and Canons whilst 1. *Eliz.* 1. was in force, and which lasted all her (and King *James* his) Reign, and till 17. *Car.* 1. yet then the branch of that Statute of 1. *Eliz.* 1. being taken away, and also Repealed by his present Majesty 13. *Car.* 2. 12. till which time the Canons in 1603 and 1640. were in force, but now that their Basis is taken away, (that branch 1. *Eliz.* 1.) I cannot discern where their Authority lies, (more than in the said days of Queen *Mary*, when they confest they had none.)

But this I do not peremptorily assert, but leave it to the consideration of men of greater abilities reading and leisure; than my necessary Diversions and constant Employs will at present admit.

And I wish with all my heart (if wishes would do) that *most of* the Canons of 1603. and also some of 1640. were of more Authority than indeed they are.

And if the Reader knew me, he would also know it is my *Interest* (*which can never Lye*) to have them and the Clergy and the Hierarchy too of greater and more Justifiable Authority, than they have at present.

Yet nevertheless, as I have *Christened* this my Discourse in the Title-page, *The Naked Truth*, it shall never be said, (whatever be the consequence) that it *derogates* from the name.

I have *no Pick*, no Design, no Interest against Ecclesiastical Jurisdiction, but on the contrary, I have one of my own; where my Predecessors have exercised as much Ecclesiastical Jurisdiction, (though

not ſo often, it being but a little one) as any Biſhop in *England*; and therefore if the Naked Truth did not *ſilence Intereſt*, I would not enlarge one Syllable more.

And I will further add, that the firſt Reformers (whereof many of them were Martyrs) do ſeem to be ſo divinely Inſpired in compoſing the 39 Articles of the Church of *England* that is) of the Doctrine of the Church of *England*, that there is ſcarce one Phanatick in *England* ſo Foppiſh as to differ or deny; ſo evenly have they *cut a hair* betwixt the *Remonſtrant* and *Anti-remonſtrant*, and other diverſity of opinions, that though they differ *toto Cælo* from one another, yet they all concenter and agree in thoſe 39 Articles of the Church of *England*.

But when the ſaid Branch of 1. *Eliz.* 1. *gave power* to the Queen and her Succeſſors to ſet up a High-Commiſſion-Court, *They made work*, (I'le promiſe you,) *woful work* ſometimes, and about triſles too.

So that I muſt ſay of them, and the Canons of 1603 and 1640. as is uſually ſaid of a great Wit: *viz. Nullum magnum ingenium ſine mixturâ dementiæ.*

And this will appear, if we further conſider, that even thoſe men of the Hierarchy that moſt *vaunt* thoſe Canons and Impoſe them upon others, Though a *burden too heavy* to be born, yet they themſelves will *not touch them with one of their Fingers*, when thwarting their Intereſt; of which, Take a few Inſtances, that firſt occur and come into my mind.

Who regards or obſerves. *Can.* 2. 4. 5. 7. 9. 11. & 14. of 1640 ?

For are all *Socinian-Books*, and alſo thoſe of *Browniſts*, *Separatiſts*, *Anabaptiſts*, *Familiſts*, and *other Sects* burnt? Are none kept, bought nor ſold, as *Can.* 2. & 4. does enjoyn?

Is the Communion-Table every where plac'd Altar-wiſe, and Rail'd in, as recommended. *Can.* 7?

Indeed the *6th.* Canon with the *&c. Oath*, is too much kept, and a ſhame it ſhould be ſuffered (indeed) to be Impoſed upon the Conſciences of the Clergy, being diſallowed by Act of Parliament, as aforeſaid.

But pittiful is the caſe of young Clergy-men eſpecially if they be put to the *ſad choice*, either to *ſwallow* the Oath of Canonical obedience, with *the &c.* to-boot and into the bargain, or elſe ſtarve for want of Inſtitution to a Living.

Are all Conventiclers, Separatiſts, and members of gathered-Churches Excommunicated, and every three Months declared to be ſuch, to put the Zealots in mind to take out a Writ *de excommunicato capiendo* againſt them, and put them all in Goal? And who will lay out mony to build Goals enough to hold them all? *Can.* 9. and 11. & *Can.* 65. 1603? who reads Prayers upon the Inauguration-day of King *Charles* 2. as enjoyned *Can.* 2? who furniſhes all the Pariſhes with two Books of Common-Prayers compiled for that purpoſe, as decreed *Can.* 2?

Who does upon every Eve of the Feſtivals, and Saints days in the year, as well as upon all Holy-days read Prayers publickly; or if they do a little in ſome places *in the Morning*, how few in the *Afternoons*, and yet enjoyn'd *Can.* 14?

How many Spiritual Courts do take care to put into the Condition of the Bonds of Security given by the Party to be Married by Licence,

That the Parties or one of them have or hath been *a Month Commorant* in

in the ſaid Jurisdiction, immediately before the ſaid Licenſe granted? look the Condition of their Printed Bonds, there's not a word of it; but *catch, that catch may*; they know among themſelves the weakneſs of their Canons, and therefore every one *makes his own Market* and the beſt he can of them, yet this is decreed *Can.* 16. 1640.

Who can make *the States* of *Venice*, *Holland*, *Genoa*, *Switzerland*, &c. believe that the moſt High and Sacred order of Kings (*if taken in oppoſition to Ariſtocracy, and other modes of Government*) is of Divine-Right, being the Ordinance of God himſelf, founded in the Prime-Laws of nature and clearly eſtabliſhed by expreſs Text both of the Old and New Teſtament; as aſſerted *Can.* 1. of 1640?

Did ever any *Proteſtant or Popiſh* Divines aſſert any ſuch thing, before this Synod decreed it?

Was not the firſt Government by *Moſes* the Prieſt changed by God's expreſs Command into an *Ariſtocracy?* Did not *Moſes* complain to God for redreſs, as unable to bear the burden of Government himſelf alone? becauſe it was *too heavy for him*, and made him weary of his life. Num. 11. 11. 12. 14.

Wherefore *the Lord* chang'd the Government into a kind of Ariſtocracy, or *King and Parliament* (if you will) and took the Spirit (of Government) that was upon *Moſes* and gave it unto the *ſeventy Elders*. Verſ. 16. 17.

That a *mixt-Monarchy* is the beſt Government, is the opinion of moſt: That the Engliſh-Conſtitution of Monarchy is *the beſt* kind of Government (and *one King*) and *not ſeven Kings*: (as of old) and Eſtabliſhed upon the *Divine poſitive Laws* of the Land on which it was *firſt founded* and on which it ſtands the *moſt ſteddily*; and that it is not contrary to Holy Writ; is *not only my opinion* but the opinion (I think) of *all Engliſh-men*; nay, almoſt of all the world, that envy our happineſs.

Every thing ſtands ſureſt on *its own bottom*; but when men, to *mount it higher*, will make it ſtand upon imaginary *Crotches* and weak *props*, 'tis the way to ruine.

The Holy Scriptures ſay expreſly, that there is *no power but of God*, whether the Monarchy of *Poland*, or the Ariſtocracy of *Venice*, *Genoa*, &c. they are *all of God*, and the *Powers that be, are ordained of God*, one as well another and *as much as* another.

'Tis well the King and Parliament condemn'd theſe Canons *as ſoon* almoſt *as born*; For if it once had been *an allowed* and *an avowed* Doctrine of the Church of *England*, that Monarchy (in oppoſition to Ariſtocracy) is of Divine-Right, founded in the Prime-Laws of nature, and by *expreſs Texts* both of the Old and New Teſtament; (and yet name *not one* ſuch Text) Then all the *States of Europe* muſt by our Doctrine be condemn'd as held *jure Diabolico*, contrary to Divine Right, and the Prime-laws of nature, and *contrary to expreſs Texts* both of the Old and New Teſtaments: and if ſo what aſſurance could they have *in affiances and Leagues* with a People that in their publick Doctrines condemn them in their very Conſtitutions and Foundations, as contrary to *God, Nature, and holy Scripture?*

But into what *follies* and extravagancies will not men run when *blinded with flattery* and Sycophantry? and how *dizzy-crown'd* are ſome men when they are climbing or have *climb'd too high*, till their Brains are Turn-ſick? This 'tis to be αλλοτριεπισκοποι. *Buſie* in other mens Dioceſſes, and to meddle with things *above* our underſtanding, at leaſt, *above* our Cognizance.

The

The *wringing of the Nose bringeth forth blood*, and straining the strings too high, breaks them, at least, spoils the Musick, and endangers all: such Polititians as prefer Flattery before Truth, and things *Pleasing* before things *Profitable* do never bring good to themselves nor others in Conclusion, for *magna est veritas & prævalebit.* At long run, Truth is always strongest.

Thus you see how needful it is, not only *to count Moneys* (but opinions too and *Doctrines*) after our *Spiritual Fathers.*

Then for the Canons of 1603.

Who does *always bid the Prayers* before Sermon as *Can.* 55?

How is the Canon of 88. observed, Prohibiting the prophaning of Churches, when I could instance that without molestation, some at this day are made *Courts of guard* for Soldiers, some are *made Shops* off, many lie desolate?

Who mind *Can.* 109. that prohibits Common-Swearers, Common-Drunkards, notorious Whoremasters and Whores, *&c.* from the Blessed Sacrament of the Lords Supper? Do not even Bishops hear men Swear a thousand Oaths in their hearing, and either *do not or dare not* use any *discipline* against them; and yet they pretend their great business is *discipline*, and if they be not good at that, *what are they good for* more than the Inferiour Clergy, that bear the *burden and sweat of the day?*

The 112. enjoyns Ministers and Church-Wardens to present every one of their Parish that took not the Sacrament of the Lords Supper, (being 17 years of age, of either Sex) *at Easter-last*; Is this done? or if it be, what comes of it? more than to help the Registers to a little mony sometimes, and in the Interim brings all the Parish about the ears of the Minister and Church-Wardens.

The 119. commands all Church-Wardens to make a true Presentment of all and every the Articles given them in charge, and to which they are Sworn, and not *perfunctorily, and for form sake* only? But let but the Church-Wardens give the Registers but their mony, and subscribe *omnia benè*; though *all* be *amiss*, yet all is heal'd up with *two or three shillings.*

The 120*th.* Canon decrees that all Citations of *quorum nomina* should be sent out subscribed by the Judge or Surrogate of the Court, and not only by the Register, But who observes it?

The 135. and 136. enjoyns a *Table of Fees* to be hung up in the place where the Ecclesiastical Courts are kept that every one may at his pleasure take a Copy, but works of darkness hate the light.

The Statute enjoyns upon great penalty that they shall not take above 6*d.* for any *Letters of Administration* or *Probate*, where the Goods of the Deceased amount not to 5 *l.* But they will have 17 *s.* 10 *d.* though the Goods come not to 40 *s.* and 18 *s.* 2 *d.* where the Goods amount to above 40 *l.* And for engrossing the Inventory, and one Story or other, they'le make the Administrator pay at the least 17 *s.* or 18 *s.* (when the Goods come not to 40 *s.*) And when the Goods come to *above* 40 *l.* they never take less than *six and twenty shillings*, sometimes 30 *s.* sometimes 40 *s.* sometimes 50. *s.* sometimes *more*, as I can instance in *very many* particulars.

And if a poor man Indict them upon the Statute, they have so many *Holes to creep out at*, and great friends (that go snips with them perhaps) that little good is to be done upon them, as well as little good by them.

But

But I confeſs that the Canons of 1603 and 1640. ſtand upon weak Foundations, for the reaſons aforeſaid, in compariſon of thoſe Canons made by the 4 *firſt General-Councils* (wherein all conſent) and alſo all other Canons Provincial and Synodical made before 25. *Hen.* 8. are all by the 19. of 25. *Hen.* 8. confirmed, ſo that they be *not contrary* and repugnant to the Laws of this Realm.

Yet in the 15*th.* and 16*th.* Canon of the *firſt General-Council* of *Nice*, it is provided, that *no Biſhop ſhall remove from one Biſhoprick to another that is fatter* and better; nor that any Presbyter remove from one Benefice to another, becauſe the *great Tythes fills a greater Barn.*

(By vertue whereof *Euſebius Pamphelus* (that writ the Eccleſiaſtical Hiſtory) refuſed to remove from the little Biſhoprick of *Cæſarea*, to be the great Biſhop of *Conſtantinople* (profer'd to him by the Emperor *Conſtantine the great*) (But *Conſtantinople*) in thoſe days, no, nor yet *Rome*, had an *Arch-Biſhop*, that name was not yet in Faſhion.) And for this modeſty of *Euſebius*, (as one that was Proof againſt Pride and filthy lucre,) *Conſtantine* declared he was fit to be *Biſhop of the whole world.*

But I muſt reclaim my pen, for if I go on in inſtances of this nature and at this rate, what will become of me, if ſome men happen to diſcover who I am, and ſee *through my Concealment?* for it is a known adage of old, confirm'd by every mans dayly experience, *obſequium amicos, veritas odium Parit*; I know, a *Tyger* is not more enrag'd nor more revengeful than a Proud and Covetous man when he is told thoſe plain Truths *that gaul him*; eſpecially if he be a man of *much Power* and *little Grace.*

Not a word more, therefore (*at preſent eſpecially*;) and the rather becauſe the ſubject of my Diſcourſe will lead me to name ſome honeſt Canons hereafter that will *cut* ſome men *to the very heart*, that are *mightily* for the Canon-Law, and yet practiſe it *not in any thing* that *thwarts* their Pride and avarice.

But I ſhall do it in hopes that thoſe Canons may do *ſome good* upon them, for really, I believe, ſome of theſe impoſers of Canons upon others, *never heard* of ſome that I ſhall name by and by, for all their vaunting of *Canons, Canons*; 'tis probable they have *pli'd their Guns and ſuch Canons* more than *pli'd their Books*, or elſe they could not be *ſo ignorant*, as I perceive *ſome of them are*, upon Diſcourſe.

But I cannot fully handle this Argument of the Canons, except I enquire in the ſecond place.

Query II.

What kind of Canons were in uſe in the Apoſtles days, *and* Primitive-times, *and who the firſt Inventers or* Founders of Canons? Quer. 2.

Canon is the Greek word for a *Carpenters-Rule*, it is a *word of Architecture*: ſignifying *the Rule*, that directs men *in building.* Anſw.

Whence it is that the Holy Scriptures are called a *Canon*: as in *Gal.* 6. 16. *Phil.* 3. 16. and in ſeveral other places: *Canons* therefore are nothing elſe but *Eccleſiaſtical Rules* or *By-laws* made by the Church for its better *edification.*

The *firſt Synod* (ſay ſome) or rather *private Conventicle* of Chriſtians Synod. 1.

Acts. 1. after our Bleſſed Saviours Reſurrection, we read of *Acts.* 1. And they met about the choice of an Apoſtle to ſucceed *Judas* and take his place, St. *Peter* being the *Prolocutor*, when the whole number of names was 120.

To theſe brethren St. *Peter* makes a Speech, and (not he, but) they ἔδοξεν. *Statuerunt*, *made a Statute* or a Canon, *publicè & totius Collegij ſuffragijs*, the moſt votes carried it.

Synod. 2. The ſecond was called *Acts.* 6. to make *new-Officers* in the Church, called *Overſeers* for the poor, or *Deacons*; which laſt word in the original only ſignifies *Your humble Servant*; or a ready and vigilant Miniſter.

Therefore ſometimes the *Magiſtrates* are called *Deacons. Rom.* 13. 4.

Sometimes *women* are ſo called *Rom.* 16. 1. Sometimes St. *Paul* is called a *Deacon. Col.* 1. 23. 25. 2 *Cor.* 2. 6. and ſo is *Timothy.* 1 *Tim.* 4. 6. Sometimes *all Believers* are called *Deacons* by Chriſt himſelf. *Joh.* 12. 26.

And at this meeting the *Principal-Electors* that *choſe* theſe 7 Deacons, were *the People*, the multitude of Diſciples. *Acts.* 6. 2. 5. when they were pleaſed, Then *they* (*the multitude*) choſe *Stephen.*

Synod. 3. The third was *a Conventicle of the believers of* Jeruſalem, And from this of all other *in Holy Writ*, all the Councils in after Ages derive their Authority, as well as Platform.

For this was the firſt that made Canons or Decrees to *bind the abſent*; but *what Burdens* or obligations? only a very *few* and very *eaſie*, and *under no penalty* upon thoſe that diſobey'd; yet in this Council where *not only* the holy Apoſtles, but the Holy-Ghoſt, was preſent and preſident, yet for all that, thoſe few and harmleſs Canons there made, were not (like the Laws of the *Medes* and *Perſians*) unalterable and irrefragable.

For at the next Council held in the ſame Town, and by the ſame men, St. *James* and the reſt of the Presbyters. *Acts.* 21. 18. were of another opinion as aforeſaid concerning the obſervation of *Moſaical Ceremonies*, particularly Circumciſion.

Acts. 15. 28, 29. But the Canons of this ſame third Synod, we find in *Acts.* 15. 28. 29. only two verſes; *not a Book of Canons*; and thoſe Canons (or rather one ſingle Canon,) *ſhort, full, modeſt, and charitable*; namely, *It ſeemed good to the Holy-Ghoſt and to us, to lay upon you no greater burthen* (they were not wanton in their Impoſitions, but how tender and loth to load men) *than theſe neceſſary* (*not trivial*) *things*; *That ye abſtain from meats offered to Idols, and from blood and from things ſtrangled, and from Fornication*; *from which, if ye keep your ſelves, ye ſhall do well*; *Fare ye well.*

Ye ſhall do well, fare ye well; *why? that's well ſaid*, and honeſtly, and Chriſtian-like.

That's a *great deal better* and more *like good Chriſtians* than to conclude their Canons *with Curſes* and Anathema's and *take them Satan*; but modeſtly and piouſly, (*not the language of Hectors*) but the *language of the Holy-Ghoſt*; ye ſhall do well, Fare ye well.

But that's not all the Remarks I make upon this Synod; and Canon; it begins, *It ſeemed good to the Holy-Ghoſt and to us*——

In which Stile runs all the Canons and Decrees of Councils, ever ſince, but *how Apiſh?* how mimical? *How falſe* many times? The Holy-Ghoſt did indeed in the Primitive-times come frequently *not only* upon the

the Apoſtles, but *upon every* Chriſtian in the gifts of Miracles, Tongues &c. that they might well ſay, (and truly too) *It ſeemed good to the Holy-Ghoſt and to us.*

But for men that are *only Apes*, nay, that cannot ſo much as ſhow any ſigns of the Holy-Ghoſt, (than as it is brought from *Rome*, &c. in a Cloak-bag) for them to Preface at the Primitive-Rate—*It ſeemed good to the Holy-Ghoſt and to us*—Oh Confidence, and Forehead!

This third Synod was Celebrated at *Jeruſalem* about 14. years after our Saviours Reſurrection, in the *4th. Claudij Imp. Cæſaris.*

There (when St. *Peter*, St. *Paul*, St. *Barnabas*, and St. *James* had made their Speeches) *The people were very well pleas'd. Acts.* 15. 22.

Had the Apoſtles the gifts of the Holy-Ghoſt? ſo *had the people*; all the Aſſembly. *Acts.* 2. 1. 2. 7. 8. Did the Holy-Ghoſt deſcend upon the Apoſtles? ſo did he *upon all the People. Acts.* 2. 38. 39. *upon all that repented and were Baptized*: were the Apoſtles filled with the Holy-Ghoſt? ſo was *all the Aſſembly. Acts.* 4. 31.) ſo was *Stephen before* he was choſen Deacon; *Acts* 6. 5. ſo at *Samaria* all believers received the Holy-Ghoſt. *Acts* 8. 14. 15, 16, 17. nay, the Holy-Ghoſt fell upon *the whole Auditory. Acts* 10. 44. And that there ſhould be no miſtake, St. *Peter* (you muſt know it was *before he was Pope*) he confeſſes there was *no difference, nor Preference, nor Prelacy*; for like Prieſt, like People, *The people have received the Holy-Ghoſt as well as we.*

The Diſciples were filled with the Holy-Ghoſt. *Acts* 13. 52. ſo alſo *the Gentiles Acts.* 15. 8. And the *Holy-Ghoſt made no difference. verſ.* 9. no, no, *'Tis Pride* and ambition that *makes the difference*, The Holy-Ghoſt in his gifts made none; in *Temporal* affairs *there muſt be* a difference, but to *Spiritual-gifts* the *poor* are entituled as much as the *Rich.*

A Deacon, a Presbyter or Prieſt are names wherewith the Apoſtles and Primitive-Chriſtians were well acquainted; but *Arch-deacon* and Arch-prieſt &c. are but *modern coyn*, and did not *paſs currant* in the *Primitive-times* of Chriſtianity.

Yet if the ambitions of men did not extend nor aim at any higher reach than *to vye with, or outvye* their equals, contemporaries, or betters, it is ſtill but humane ambition and pardonable.

But moſt of the Councils whether Oecumenical, Provincial, or Synodical ſince the Primitive-times have, (ever ſince the Gifts extraordinary of the Holy-Ghoſt left the Church) vi'd with the Apoſtles for the Infallible Spirit in their Aſſemblies, *not an ace leſs* would they go.

Nay, (which is an ambition not leſs groundleſs than vain and ridiculous) they would outvy the Apoſtles in Monopolizing the infallible Spirit *to themſelves alone* (the Clergy, forſooth.)

Whereas *all the people*, all the brethren (as aforeſaid) received the Holy-Ghoſt *as well as* the Apoſtles; and they were conſulted, and *their advice askt* in framing Canons as aforeſaid.

It being meet, that they that *were oblig'd* ſhould have a *hand, and a heart*; a vote and a conſent (at leaſt by *their Repreſentatives*) in thoſe Decrees that oblig'd them to obedience.

But no ſuch matter, no: For when the *French* or *Spaniſh-faction* prevails in the *Conclave* when an *Arrian-Emperor* makes an *Arrian-Council* and conſequently an *Arrian-Creed* as at *Arimium*: and when an *Homouſian* Emperor makes an *Athanaſian*: as in the firſt General-Council of *Nice*; when an Idolatrous Empreſs makes Canons for worſhipping of Images,

Images, Harangu'd to it by ſome of her favourite-Prieſts, as in the ſecond Council of *Nice*; when Simony, Flattery, Hypocriſie, or Sorcery *creates a Pope*, and a thouſand Fopperies, Partialities and Intereſt of Princes ſways *in the Conclave* of Cardinals; yet none of them all will *bait a Tittle* of the old preface to their Canons——namely——It *ſeemed good to the Holy-Ghoſt and to us.*

Conſtantine (the great) was no *Arrian*, nor yet *Euſebius* Biſhop of *Cæſarea* (before praiſed) whatever ſome men imagine, but without diſpute he made the greateſt part of the Creed for the whole Council of *Nice.*

Theod. *lib.* 1. c. 12. As may be ſeen at large in his Epiſtle to the people of his own Dioceſs; which the great *Conſtantine* very well approved off.

But the *Council of Nice* had a hand in altering it a little, and made ſome little addition of the word Homouſios or Conſubſtantial (which neither *Euſebius* nor no Orthodox man does gain-ſay) nevertheleſs that un-ſcriptural word, (though according to the ſenſe of Scripture) made the greateſt Schiſm in the Church that ever was, and was (at laſt) the great cauſe of the Turks Conqueſts and Triumphs over Chriſtendom; The *Arrians* (which once was *the Major part* of Chriſtendom) chuſing rather to turn *Turks*, (that owned, and to this day own the Lord *Jeſus Chriſt to be the great Prophet of God*, and with whom they met with *fairer quarters* than amongſt ſome of the Orthodox; ſo *fatal* has it been to Chriſtendom to impoſe *unſcriptural words* upon mens Conſciences under the Title of the Infallible Spirit and Holy-Ghoſt, in meer diſputable points, that will endure Conteſt to the worlds end.

As if God and our Lord *Jeſus Chriſt* with the Holy-Ghoſt, (*The Holy Trinity*) did condemn all men, as faſt as one man condemns another; and meerly too, becauſe they cannot ſee to *ſplit a hair* (as few men of all mankind are ſo quick-ſighted) betwixt *Homouſion* and *Homoiouſion*; or, betwixt *one ſubſtance* with the Father, and *alike ſubſtance* with the Father.

Theod. *l.* 1. c. 12. I'le only add the words of *Euſebius*, namely, *therein* (in the ſaid firſt Council of *Nice*) *It was Prohibited that no man ſhould make uſe of any Terms which the Cuſtom of the Scriptures do not allow; by which Phraſes* (*or Terms*) *have happened all theſe Revels and Diſorders wherewith the Church is thus diſturb'd.*

Obſerve how agreeable that Note of *Euſebius* is to that Divine 20*th.* Article of the Church of *England*, ſet down at length in the beginning of this Diſcourſe.

And how careful our firſt Reformers were, and tender of laying *Stumbling-blocks* before the weak; not delighting to *make them fall* in hopes to get *a top* of them, or get ſome *booty* from them, much leſs did they cram unſcriptural Articles, Canons, and Creeds down mens throats, and ram them down with a Curſe, an Anathema, or Excommunication; However *no &c. Creeds and Canons* are ſo ram'd down.

Again, by what Authority do they lay Injunctions and Burdens, Canons and Decrees on all mankind that are Chriſtians?

Whilſt the Roman-Emperor had the univerſal Monarchy there might be General Councils, to whom he gave Command to ſit, approv'd or diſprov'd their Acts, and gave life and vigour to their Canons when Enacted: But now it is next to Impoſſible (now that both Emperor and Pope have ſuch a Precarious ſway) that there ſhould be an Oecumenical

menical Councel; the Old Houſe is too much broken to pieces and divided againſt itſelf.

Beſides, if there were a General-Councel, what Tokens are upon them of the Holy-Ghoſt, more than upon a Parliament, who pretend not to be Bigots, nor to have the people Bigotted, but ruled by God, according to the Laws of the Land they live in, in all quietneſs, godlineſs and honeſty; and in Righteouſneſs and Holineſs, according to the Divine Laws of the Land Men live in.

For if once Men come to diſpute Authority, and the wiſdom of the Laws and Law-makers, the next ſtep is Confuſion and Rebellion; nor did, or can any Government under Heaven ſubſiſt, when they are not able to avow and execute their Laws againſt all Gainſayers.

This, notwithſtanding, does not urge that Governours, if wiſe, ſhould be *wanton* in Power, and lay *unneceſſary* Burdens upon their people, (*though weak*) for they are the *leaſt able* to bear; and if the Laws or Canons they impoſe be nothing but *ſome neceſſary* things, (as did the ſaid Synod of *Jeruſalem*) there are none but obſtinate and querulous perſons that will refuſe Obedience; and ſuch muſt be made to know themſelves, or elſe the Government ſits very unſteady, as being precarious, (the condition of Supplicants, not of ſuch as bear Sway and Authority.)

And one would wonder that thoſe that have Eccleſiaſtical Juriſdiction, (if now there be any ſuch thing) ſhould deſire to hold it, at this Precarious Rate they do; (I ſay not this, that I grutch any Power they have, but wiſh them more.)

But Power (though fading) is ſo pleaſant to ſome Men, that they are loath to part with it, or, (like frank Gameſters) venture it for a better, and as much more; rather like drowning Men, they lay hold of that that does but help to ſink, and drown them in concluſion.

And is it not worth the greateſt care to give relief in this Extremity; or ſet the Church, (that is) the Kingdom to rights, which has gone ſo long lame and limping on the right ſide?

But how ſhall this be done, (there's the skill) or who ſhall do it? *The Synod ſure*, that call themſelves the *Repreſentative Church of* England, in pain of *Anathema* to all that dare deny.

Ay, but the Layety, the *Layety* have got generally an odd opinion, to ſee with *their own* Eyes, and not by Spectacles, eſpecially *not Spectacles of Clergy-make*; which of old they were ſo long us'd to, *they thought it ſpoyled their eye-ſight*; and ſo being kept blind, the Clergy *led them by the Noſe*, whilſt the ignorant Layety *pin'd their Faith* upon the *Clergy-mans-ſleeve*; and Ignorance the Mother of their Devotion.

Beſides, *The Naked Truth* is *uniform*, but Canons and Decrees of Clergymen do ſo differ and *claſh* one with another, that it is impoſſible they ſhould all be truth; *Truth* which never yet was *patcht* and *Pye-bal'd*, or wore a *Party-colour'd Coat.*

But how has one Councel condemn'd and curſt another to the pit of Hell? How uſual for one Pope to dig up the Carcaſe of his immediate Predeceſſour, and either hang him up (*in Effigie* at leaſt) or throw his dead Body (after it has been ſufficiently abuſed) (at fare-well) into *Tyber?*

Again, why does Clergy-men onely Repreſent in Councel, and

not all the Brethren(the Laiety)as of old? How come *Synod-men* to be *ſo lickt*, that all others compar'd to them,are but an ugly *ſhapeleſs Lump* of deformity? Or, how come they, *the Clergy* to be the *Repreſentative Church of* England, (when met in Synod) though the *Lay-people* never gave any *Votes* in their Election, nor ſo much as any of their Advices conſulted, about the chuſing thoſe Members of the Convocation? And if not, how come they obliged to obey their Decrees and Canons, when they never gave them their Suffrages and conſent?

Though the Clergy chuſe ſome of them, (*the Nether-houſe*) for ſo they diſtinguiſh,(*Parliament-like*)yet the *Upper houſe* is made up of *Biſhops*, and the Richer Dignitories, Deans, Arch-deacons, *&c.* which make up by *far the major part*; the *Inferiour Clergy* of the Kingdom have *no Vote* in their Election, and yet muſt be concluded by them, their Canons and Decrees, as if they really had given their Suffrages to their Election, and the Conſtituting of the Synod, for it is all but umbrage.

As for Example; In the Dioceſs of *London*, there are Five Archdeaconries; namely, the Archdeaconry of *London*, *Eſſex*, *Middleſex*, *Colcheſter*, and *Hertford*.

In each of theſe Arch-deaconries, *Two* of the Inferiour Clergy are choſen *Procurators* for the enſuing *Synod*, (Elected *de novo as often* as there is a new Parliament choſen.)

And theſe Ten (one would think) ſhould be a very fine ballance to the Hierarchy and Richer Dignitories, (the Biſhop, Dean, Five Arch-deacons, the Ghapter, *&c.*) and *almoſt*,*but not altogether* able to turn the Scales.

But,(I thank you) when it comes to, there's no ſuch matter; for it is *five to one* that *not one* of thoſe Synod-men (which with ſuch ado are Elected)*ſhall ſit*.

For the Biſhop, *out of theſe Ten*, chuſes and culls out *Two*, and ſends the reſt home again, as if they never had been choſen; And how then ſhould theſe Synod-men be called properly (and in pain of Damnation ſo owned) for the Repreſentative Church of *England*, ſince they are *not at all* Elected by the Laiety, *nor any* of the *Upper-houſe* choſen by the Clergy; and of the *Nether-houſe*, but *Two of Ten* (that are choſen) are ſuffered to ſit?

Beſides, that ſaid Branch of 1 *Eliz.* 1. on which the Convocation did once flouriſh,being now wither'd and made of no effect,*what does a Convocation ſignifie* (all theſe things conſider'd together) towards a Repreſentative Church of *England*, and to lay Burthens and Impoſitions (neceſſary or unneceſſary) upon the Natives, without his Majeſties Commiſſion?

Beſides, ſince 1 *Eliz.* 1. is repealed, (whereby the High-Commiſſion-Court had ſo great Power, as (by vertue of that Statute) to diſpenſe with the ſaid Statute of 1 *Edw.* 6. 2. after it was revived by 1 *Jacob.* 25. *all the Reign* of King *James*, and part of *Car.* 1. ſo that they never did admit the *King's Arms into the Seal of the Court*, nor yet vouchſafe to ſend Proceſs and Citations, *&c.* in any other Name, (*no not the Kings*) but their *own onely*, is to be attributed to the *dreadful awe* in which Nobles, Lawyers, Gentry, and Commonalty were kept, by the Terrors of a Star-Chamber,and High-Commiſſion-Court.

Which

Which being now Diſſolved, Quere, whether they muſt not be accountable for the neglect of that Statute of 1 *Edw.* 6. 2. whenever Authority ſhall reckon with them? (in good time.) But in other caſes 'tis ſaid,----Forbearance is no Acquittance.

Theſe Oecumenical, Provincial, Synodical, Claſſical, *&c. Aſſemblies* and Synods, with their *Directories* and *Impoſitions*, *Canons*, and Decrees, have made a great deal of noiſe and *hub-bub* in the World: which brings to my mind that paſſage of *Euſebius*, Biſhop of *Nicomedia* (an Arrian) to the Lord *Paulinus* Biſhop of *Tyrus*, ---namely, Theod. lib. 1. c. 6.

----*Some approved one Party, ſome another. The Actions of both parts lookt not onely like a Tragedy, but alſo deſerved much weeping and lamentation. The caſe was not now as in former times; for they were not Forraign Enemies that took Arms againſt the Church, but Men of one Houſhold, of one Kindred; yea, and ſuch as were Fellows at one Table: inſtead of Lances, they whetted their Tongues one againſt another. Nay, moreover, when they were Members compacted and united into one body; yet for all that, they were armed to Battle within themſelves.*

Then ſince (as muſt be confeſſed) men whilſt *humane* are ſubject *to erre*, and eſpecially *in their own caſes*, and *for their own Intereſt*, to be *partial*, cruel and paſſionate; ſince one Canon contradicts another, one Synod another, one Aſſembly another, and perhaps all of them repugnant to Truth, Holy Scripture, and the Laws of this Realm: Until it pleaſe God to ſend us *the Infallible Spirit*, God grant us the *humble*, meek and milde Spirit; not this bloody, cruel, Horſeleach-Spirit of impoſing upon men, and making them believe in ſpight of their teeth, and putting out their eyes becauſe they are not ſo good and clearly diſcerning, or more quick-ſighted than our own; calling one another *Heretick to the end of the Chapter*; and which has (as aforeſaid) cauſed moſt of the Miſeries, Wars, Mutinies, Bloodſhed and Calamities in the Chriſtian World.

But ſhall men be left at Liberty then, to believe what they liſt? Object.

Yes, they ſhall in ſpight of all men living: You may make men tell Lies, and *rehearſe the Articles of their Belief*; but you are ne'er the wiſer: for none but God, the ſearcher of hearts, knows whether they *believe* what they *rehearſe*. Nay, the heart of man is ſo deceitful, that few men know their own hearts, or what they do believe with the heart; nay, you have many times a cloſe Atheiſt excommunicating and curſing Chriſtians, that do not believe according to his Canons; though in his ſleeve he laugh at all Creeds and all Canons. *Anſw.*

Shall men then have Liberty of Conſcience? Object.

Yes, they ſhall as to matters of Faith, in ſpight of all the world; but as for Works that are contrary to the Laws of the Land (which ought notwithſtanding to be tender of impoſing unneceſſary Creeds and Burdens, that are not contained in expreſs Scripture (beyond diſpute) and not lay traps on purpoſe to enſnare and make men forfeit their Livings and Livelihoods to men of greater Latitude.) The Magiſtrate muſt either juſtifie his Laws and vindicate them, or repeal them, or his Authority will ſoon come to a period. God and Nature ſeem to delight in Variety, and in making Men *Anſw.*

and

and Women (all in the world) of different Features, Ayres, Dimensions, Complexions, *&c.* And how do we know that Almighty God is so much displeased with Variety of Opinions also, as some men imagine? Though we have *different* Physiognomies and different Eye-sights, yet we all *continue* to be *men.* And though we have *different* Judgments, Minds, and *Opinions*, (some more clear, some more purblind) yet we may *all continue Christians.*

But suppose other men *do not* (*cannot* for their lives) see so well as we, or so well as the Synod, or the Magistrate, yet must we therefore *pull out*, or put out their eyes; deliver them to the Devil first, and then to the Goal, and after all to the pit of Hell; And for *expedition sake* thither with the more speed, (until the Writ *De Hæretico comburendo* was Cancell'd) *Fire and Faggot?*

These have been the Methods, this the Piety of bloody Synods and bloody *Bonners*; and distinguishing themselves (*all the better*) from all Mankinde, by the name of *Clergy*, *Clergy.* The word (*Clergy*) indeed is a Scripture-expression, but never *but once* found in Holy Writ, and then it signifies *Lay-men*, 1 Pet. 5. 3. *the Flock*, not the Shepherd that feeds the Flock. The Presbyter *Peter* advising his Fellow-Presbyters, or Priests, Μηδ' ὡς κατακυριεύοντες τῶν κλήρων, *neq; ut dominantes Cleris*; Nor Lording it over God's Lot, *over the flock* (there called) Clergymen, (that is) Laymen.

Nay this I'll say for these Clergymen, *some of them*, shall knock a word *out of joynt*, and do as feat things *as any Layman* of them all.

Notable was the first Canon that ever was made by a General Council, the first at *Nice*; namely, '*Si quis à Medicis propter languorem defectus est*, &c. 'If any man be guelt by the Chyrurgeons, 'because of the Disease, (*you wot of*) or Eunuch'd by the Barba-'rians, we are content he shall remain a Clergyman. But if, being 'whosesome and sound, he make himself an Eunuch, (*as did the* 'great Origen) he, although he be a Clergyman, ought to be made 'a Layman again: And if such a man be a Layman, he shall never 'be Ordain'd a Clergyman. As also we Ordain the same therefore 'against those that are so audacious as to gueld themselves: But 'if the Barbarians or their Masters gueld them, such, if they be of 'good Conversation, are by this Canon admitted to become Cler-'gymen.

These Holy Fathers in this General Council were *three long years a sitting* before they *brought forth* those *Canons*, and all the while plentifully maintain'd by the unparallel'd Munificence of the Emperour *Constantine.* But one unlucky Accident had like to have spoiled all at last, if their Wisdomes had not *Salv'd it up*; 'twas this:

Theodoret. l. 1. c. 7.

Two of those same Bishops (318. says *Theodoret*; 270. almost, says *Eustathius* Bishop of *Antioch*, who made one; 270 just, saith *Athanasius*, who was also there present;) it happen'd, I say, that two of them (called *Chrysanthus* and *Musonius*) departed this Life, *Priusquam Acta Synodi persicerentur*, &c. saith *Nicephorus.* This put the Reverend Fathers to a notable plunge, saith *Nicephorus.* (For it seems it was not yet agreed, whether the Infallible

lible Holy-Ghoſt ſway'd every Individual, or but ſome, or but the Major-part, or onely whilſt *in Cathedris*; or went alſo home with them to their Lodgings: whether he was *totus in toto*, or *in qualibet Parte toti.*

But to make all ſure, *what does me they, but away* (no doubt upon ſerious deliberation and conſultation among themſelves) *they go to the Church-yard or Sepulchres, and ſtanding by the Graves of the two deceaſed Biſhops, with the ſaid* Nicene Canons *in their hands*, (as if they had been alive, and had had Ears to hear) *they made their addreſs to them in theſe words, and with this following Common prayer and Harangue. Holy Fathers!* (ſaid they) *ye that with us have fought* (true enough) *the good fight, and have finiſht your courſe, and kept the Faith; if therefore, ye, that are enlightned with the Beams of the Trinity, and ſee things more cleverly, all Interpoſitions being done away; we ſay, if ye approve of what we have done, 'tis fit* (telling thoſe glorified Saints their duty) *that you do alſo with us ſubſcribe this little Book* (of Canons.)

And having made this Speech, they left the Book upon the Tomb ſealed up, and watcht all night; but the next day returning to the Sepulchre, they found the Seals untoucht; and opening the Book, they found their Hands (with which they were very well acquainted) *newly ſubſcribed among the reſt*, viz. *in theſe very words,---- We* Chryſanthus *and* Muſonius, *who ſate with all the Fathers in the firſt Holy Oecumenical Councel of* Nice, *though Tranſlated from the Body, have yet ſubſcribed this Libel with our own hands.*

And it was kindly and civilly done of them, I'le aſſure you, to leave their Heavenly Stations, and viſit the Tombes, *at the requeſt of Mortals praying to Saints*; nay, and to have learnt to write neither better nor worſe, but the very ſame old Characters their Writing-maſters had taught them, (for ſo *Nicephorus* adds in the ſtory) *Subſcriptiones illorum reliquis inſertas cognovêre recentes adhuc in hæc verba conceptas.* The old Fathers knew their hands again, when they ſaw them, very well, the Ink was ſcarce dry upon the Book. And a further Miracle it was, that the Ink being *ſcarce dry did not blot*, the Book being *clos'd up* and Seal'd.

And the greateſt wonder was, that *one Town* could hold *ſo many Biſhops* three years together, without venting their Malice and Spleen againſt one another, more remarkably than when at their firſt Meeting, every one *(like fierce Tygers)* ſnarling, biting, aſſaulting, and flying in the face of each other, by Articles and Informations, endeavouring to make each other more black; (that were black enough already) and by blemiſhing their Reputations with the General, get them turn'd out of their Livings; *Conſtantine* had work enough (ſays the Hiſtorian) to keep the Peace amongſt them, and to keep them quiet; and as the beſt Expedient, he call'd them all before him, and every ones Heart leapt with *joy* and *fear*; *with joy*, that the Articles he had put in *againſt his adverſary* ſhould be firſt read and conſider'd; but yet in a trembling *fear*, leſt the *black-lot* ſhould be *his own*; from which fears the Emperour forthwith deliver'd them all, by making a *Bonefire* of all the Indictments, and charging them thenceforth to keep the Peace. And bleſſed be God for this Piety and Prudence of the Emperor, or elſe with what ſtrange *diſmal fea-*

tures had theſe Holy Fathers been *decipher'd* to poſterity, if their *Pictures* (as they had drawn and *pourtrayed one another* in their Informations) had been *tranſmitted* to after-Ages, inſtead of being committed to the fire.

Yet the Clergy, *The Clergy*, (what by the Piety of ſome Princes, and the ſimplicity of others) got ſuch Immunities and Priviledges to ſin & offend the Laws, and yet be free from the Cognizance or Juriſdiction of the Lay-Magiſtrate, that they begun to *diſtinguiſh themſelves in Habit* from other men, and colour of their Clothes (as did the Phariſees of old) that a man thought himſelf *never ſo ſafe*, as when he had got on *a Caſſock and Girdle*, or ſome ſuch diſtinguiſhing weed.

I doubt not but St. *Peter* and St. *Paul* were as good Clergymen as the beſt of them; and yet after they were Apoſtles, who could diſtinguiſh them for ſuch, (*as the word Clergy is now taken*) that had found St. *Peter* a fiſhing, with his Fiſhers Coat tuckt about him; and St. *Paul* in his Loom a weaving?

But in proceſs of time, the Presbyters or Prieſts begun to call *themſelves alone, the Church*; themſelves alone, *the Councel, and Synod*; and themſelves alone, God's Heritage, or *God's Lot*; or, (which is all one) his *Clergy*.

But ſince this word *Clergy* has ſo long obtain'd in the world (how properly I have already diſcuſs'd) and alſo is become part of ſome Statutes in *England*, I (that hate Innovation without great cauſe) will even let it go as it is, and take it in its common acceptation hereafter. I onely have ſaid thus much, to ſhow, that neither the Name nor the Thing; neither the word Clergy, nor yet God's Heritage, belongs any more to this Tribe of *Levi*, than to other Chriſtians, *if ſo much*; nor that they alone above all others; nor ſome of the *few and odd ones* amongſt them (*much leſs*) are the *Repreſentative Church* of *England*, and muſt needs be acknowledged ſo to be, in pain of Excommunication, the Goal, and Damnation. And by the premiſes it ſeems to be evident, that there is no Law, or Canon, at this day in force, or of force ſufficient to make them ſuch a Repreſentative.

One Head we all acknowledge, *viz. Imperial*; but the *Paſtoral* Head was *Beheaded* (as aforeſaid) when the *Popes Heads* were *cut off*. And where is that *Hydra* that dare put his Prelatical, Fifth-Monarchy, or Presbyterian Head in his room?

Laymen cannot ſee ſo readily *the Tokens* of the Infallible Spirit amongſt theſe Clergy and Synod-men, that they boaſt of; but that they are faulty and frail (*at leaſt*) *as much* as other prudent Men: even in that firſt general Councel, (before praiſed) *Arrius* had ſome friends amongſt them to the laſt, and ſuch that refuſed their Biſhopricks (*no common Bigots* I'le promiſe you) and contemning the glorious Careſſes and gifts of an Emperour (that ſeem'd to be enamoured and in love with thoſe Reverend Fathers) even (*almoſt to ſin*) rather than they would ſubſcribe (to keep their High-ſeats) *the Nicene Creed*.

And when after the death of *Conſtantine*, when the *Arrian Creed* and Religion came to be uppermoſt and the *State-Religion*, and the opinion countenanc'd, prefer'd, and *in faſhion at Court*, (as it did

in

in the days of his Son and Succeſſor *Conſtantius*) many of the *Nicene-Creed-Biſhops* fac'd about, kept their Biſhopricks and their Livings, being *not now neither Non-Conformiſts*, like the Vicar of *Bray*; onely *Athanaſius* alone ſtood it out to the laſt with great Conſtancy.

In the Seventeenth Canon of the ſaid firſt Councel of *Nice*, it is ordained, that no Biſhop ſhall ordain any that are not of his own Dioceſs, without the conſent of the Biſhop of that Dioceſs to whom he appertains; or if he does, the Ordination is null and void.

Whence note, how eaſie was the Remove from being a Clergy-man back again (*as you were*) a Lay-man; where was the indelible Character in thoſe days that the Papiſts prate of?

The Eighteenth Canon is made againſt Clergy-men that are Uſurers; the penalty was, *loſs of his Biſhoprick*, or Living; and alſo the Clergy-man for his Uſury was made a Lay-man again; ſo *ſmall was the leap* from Clergy to Layety.

In the Twentieth Canon, (being the laſt) it is piouſly ordained, that no man ſhall pray kneeling upon the Lords-day, or in the days of Pentecoſt.

But enough of *the Canons*, and theſe firſt Canons and Canon-makers; I'le conclude them as St. *Bernard* does, *Homil.* 4. *ſuper miſſus eſt.*

Videas pleroſque in Eccleſiâ de ignobilibus nobiles, de pauperibus divites factos, ſubitò intumeſcere, priſtinæ obliviſci abjectionis, genus quoque ſuum erubeſcere, & infimos dedignare parentes, &c.

Video & alios (quos non ſine dolore videri debet) poſt aggreſſam Chriſti Militiam, rursùs ſæcularibus implicari negotiis, rursùs cupiditatibus terrenis immergi, cùm magnâ curâ exigere muros, & negligere mores, &c.

'You may ſee (*quoth he*) very many Church-men of mean Parentage, now made equal with Noblemen; of poor Fellows, now made 'Rich; and ſwell ſo ſuddenly, and look big, that *the Prieſt forgets 'that ever he was Clark*; nay, he's aſham'd of his own Parents, and 'the ſtock he came on.

'And ſome Money'd-men (*you may ſee*) fly preſently into high Ec-'cleſiaſtical Dignities, and then preſently admire themſelves for their 'worth and holineſs; when (*alas!*) they have got indeed richer 'Copes, not richer Brains; thinking themſelves Men of Worth, and 'deſerving that great Dignity, to which they arriv'd through the 'aſſiſtance of great friends and flattery: And (*if I durſt ſay*) which 'they purchaſt with their Money, not with their deſerts; not to ſpeak 'of thoſe that are ſo hoodwink't with Ambition, that their places 'makes them proud, and high, and unſociable, *&c.* coveting to in-'volve themſelves in Secular Affairs, and Ambitious Deſigns, after 'they have liſted themſelves Souldiers in the Camp of Chriſt, (*which 'I am very much troubled to ſee*) they being more careful to *Erect* 'ſtately *Mannors*, then to *correct* their evil *Manners*, &c.

Query

Query III.

Of Procurations, Synodals, and Viſitations.

Query. WHether (ſince by the Laws of this Realm, no man ought to *take a Purſe*, or exact any Money but by Act of Parliament) *Procurations, Synodals, and Viſitations*, may be exacted of (and paid by) the Inferiour Clergy, to the richer Dignitories?

Anſw. *Procurations* are certain Impoſitions exacted from the Clergy, by the Biſhops and his (*Eyes* called) *Arch-Deacons* in *their Viſitations*, claiming the ſame by *ancient Cuſtom*, but no Law.

The original of theſe Procurations is (*pretended to be*) a Compact or Agreement made betwixt the *Incumbent* and the *Viſitor*, (*viz.* the Biſhop, or Arch-Deacon) whereby each Incumbent charged himſelf or his Benefice with ſuch a yearly Rent to the Viſitor, to defray his and their Charges at ſome great Town fit for their reception, at a publick Meeting or Viſitation of the Clergy, rather than be *peſtered with entertaining* the Viſitor and his Train (which grew like a ſnow-ball the further it roul'd) in their *Eccleſiatim Viſitations*, which of old were *the onely* Viſitations.

But he that has but *a life-Eſtate* (as no Parſon or Vicar has any more) in his Benefice, can never grant a *Rent for ever* out of ſuch Benefice, and bind his Succeſſors; *nil dat quod non habet*; it is not ſo much as an Annuity or *Rent-ſeck*, much leſs can the Incumbent or Termor grant a *Rent-charge*, no not with the conſent of the Patron; *Spiritual* Livings being ſurely *incorporeal things*.

You ſee then, if ſome do but (*of any faſhion*) get in *one foot*, it is hard getting them out again: perhaps they'l ſay, (*as ſome have done*) that no Clergyman Benefic'd, Rector nor Vicar, has any Freehold in his Living, but all is the Biſhop's; and the Inferiour Clergy that do the great Work, are *but the Biſhops Curates and Journey men*. I'le aſſure you, ſome of them are ſo ignorant, that they know no better, and dare not value themſelves, nor behave themſelves in his preſence at a higher rate.

And yet this Lording over the Clergy, *this exerciſing Dominion* one Clergyman over another, *as the Princes of the Gentiles*, and uſually, call'd *Prelacy*, is not onely abſolutely forbid by our Bleſſed *Saviour*, as aforeſaid; but as much care and proviſion made againſt the Pride and Avarice of the greater ſort of Clergymen, (if ſuch cob-web and *net-work Laws* or Canons could hold the mighty) as heart can wiſh.

To inſtance in a few that firſt come to my mind at preſent, (for ſome men will never take warning, until their Iniquities become to be hateful to all Mankind.)

Our *Bleſſed Saviour* warns them, the Apoſtle *Peter* warns them *not to play the Biſhop for filthy lucre*, but of a ready mind; the antient *Councels, Fathers, Canons, Laws* and *Statutes* warns them, and commands to forbear this *more than beſtial* rapacity: but *ſurdo fabulam*, for (of all ſpoyls) none are made with more eaſe and ſafety, than when

when the Inferiour Clergy become a Prey to the great ones; yet no ſpoils are ſo unchriſtian, unhumane, nor ſo unnatural.

Tygers ſpare their own whelps; Eagles, Hawks, and Kites', uſe not their ſharper Talons againſt Birds of their own feather; Dogs indeed and Swine onely (*of all Brutes*) have a ſtomach to feed upon, eat up, and devour their own kind.

Dictum eſt etiam quod in pleriſque locis Archidiaconi ſuper Preſbyteros exerceant Dominationem, & ab eis cenſum exigant, quod magis ad Tyrannidem quàm ad Rectitudinis ordinem pertinet. Cabilonens Synod. 2. cap. 15.

Si enim Epiſcopi, juxta Petri Apoſtoli ſententiam, non debent eſſe dominantes in clero, ſed forma facti gregis ex animo, multò minùs iſti hoc facere debent. Sed contenti ſint regularibus diſciplinis, & teneant propriam menſuram, & quod eis ab Epiſcopis jungitur, hoc per parochias ſuas exercere ſtudeant, nihil per cupiditatem aut avaritiam præſumentes. (that is)

'It is reported, that in many places Arch-Deacons domineer over 'Pariſh Prieſts, and will have Money of them; which exaction bor-'ders upon Tyranny, rather than right Order and Juſtice.

'For if Biſhops, in the opinion of the Apoſtle *Peter*, ought not 'to Lord it over the Clergy, but *take the overſight of the flock, not 'by conſtraint, but willingly*; much leſs ſhould theſe Fellows do the 'ſame: but be content with good Diſcipline (*and the Corps of their 'Arch-Deaconry*) keeping within their own bounds; and endeavour 'to put the Biſhops Injunctions in execution all over the Dioceſs, not 'daring to do any thing through Avarice or greedineſs.

There is a like Order made in *Concil. Lateran. ſub Alexander* 3. to the Archbiſhop of *Canterbury*, againſt Exactions of this nature; and the *Extortions* of the *Arch-Deacon of Coventry*. Concil. Lat. par. 2. c. 3.

If it be objected, that theſe Synods are none of the Four firſt General-Councels; *Object.*

It is readily confeſt; for how ſhould they make Laws againſt the Exorbitances of Arch-Deacons, when there was no ſuch Creature in nature exerciſing any Juriſdiction Eccleſiaſtical, and therefore could not abuſe their Authority, till they had it to abuſe? *Anſw.*

I read indeed *Anno Dom.* 260. of St. *Lawrence* an Arch-Deacon, Martyr'd in that year, ſaith *Anaſtaſius*. Anaſt. in vit. Sixt. Rom. Epiſc.

But this Arch-Deacon had nothing of our Arch-Deacons but the Name; he was indeed Arch-Deacon (in Engliſh) the *Arch-ſervant*, or *Chief-Deacon* to the Biſhop, of all the Servants or Deacons about him.

He was *Chief Turnkey*, (ſaith *Prudentius*) deſcribing his Office; at beſt, but *Chief Porter* or *Door-keeper*, that kept the Keys of the poor mans Box, and the Church-doors; *Clauſtris ſacrorum Præerat*, (to uſe the words of *Prudentius*) *cœleſtis arcanum domus fidis gubernans clavibus, votaſque diſpenſans opes*: 'The Arch-Deacon was chief Turn-key, or chief Steward among the Deacons, and choſen by themſelves, from among themſelves. Prudent. de Coronis.

The next Arch-Deacon I read of, was one *Stephen*, *Anno* 255:

Arch-Deacon to *Cornelius* Pope of *Rome*; St. *Ambroſe* had got one about the year 400.

Afterwards the Name, by the favour of the Emperors of *Conſtantinople*, became a Name of ſome repute; for till then, Mr. Arch-Deacon was not ſuffered to ſit, nor yet to be cover'd in preſence of a Pariſh-Prieſt.

But about this time, (as before Dioceſans began to appropriate the Name of Biſhops to themſelves alone which in the Apoſtles days ſignified no more than Presbyter; as appears by 1 *Pet.* 5. 1. *Tit.* 1. 5,6,7. where the Presbyter in the fifth verſe, is called Biſhop in the ſeventh verſe: and *Acts* 20. the Elders or Presbyters, verſe ſeveenteen, are called Biſhops verſe twenty eight: *Take heed therefore unto the flock over which the Holy-Ghoſt hath made you Biſhops*) alſo Arch Deacons, and the Biſhops-Dean or Deacon was choſen (though very improperly) out of the Presbyters, who had loſt that ſervile Name in that of *Prieſt or Elder*, than which the Church never knew a *greater Title* of Honour; but as Dioceſſes did increaſe, ſo did the profit alſo of being the Biſhop's Deacon or Dean; and what Prieſt or Rector, (that could) would not ſtrive to be the Favourite-Dean, or Arch-Dean?

Though (as we eſteem in *England*) ſuch Men are more properly called Arch-Prieſts: And theſe Arch-Deacons in the Dioceſs of *London*, are five as aforeſaid.

For when Biſhops had Dioceſſes ſo large and great as now they are, if they were never ſo *Eagle-ſighted*, it is impoſſible one Man could *overſee* them.

Therefore then they got for themſelves *theſe Spectacles*, or rather *Eyes* (for ſo the Arch-Deacons are called *oculi Epiſcoporum.*) And in *London-Dioceſs* there are (as aforeſaid) *Five Auxiliary-eyes*; in imitation (ſome think) of thoſe Beaſts in the *Revelations*, which had *Eyes before and behind:* onely there is ſome difference in the number, for there was *but Four* beaſts, *here Five.*

Revel. 4. 6.

I hope no Man is ſo ignorant as to think this Similitude a *Sarcaſm* to the Five Arch-Deacons; for it is the greateſt honour that ever was conferred upon them.

For two of the moſt Learned Interpreters of our Age, *Grotius* and Doctor *Hammond*, agree that theſe four Beaſts aforeſaid, were four Apoſtles, *Peter*, *John*, *Paul*, and *Barnabas*, ſaith Doctor *Hammond* very probably; but *Grotius* thinks thoſe Four Beaſts were *Peter*, *James*, (the Lords Brother, Biſhop of *Jeruſalem*) *Matthew*, and St. *Paul.* But this by the by; onely to avow and vouch the Complement paſt upon the Arch-deacons, thoſe *Biſhops-Eyes before and behind*, to help him ἐπισκοπεῖν, to Inſpect or *overſee his Dioceſs*; and if he had as many Eyes as *Argus*, he would not have one ſuperfluous Eye in ſo great a Cure, a Care and a Charge.

In the Apoſtle's days, the Office of a Biſhop was a *good* thing; but now it is alſo a *great* thing; a *great trouble* to be ſure *for one man*, a trouble and a charge too.

And truly at length, theſe Arch-Deacons alſo learnt to be ſome-bodies, and would be known too in their places. Did the Biſhop viſit? ſo

ſo would they; Had he any Procurations? ſo would they, 'till at laſt Viſitations grew ſo comfortable and pleaſant to Mr. Arch-Deacon, and ſo profitable alſo, that they never thought themſelves in their Harveſt, like as when they were at this work of Viſitations, what by Commutations of Penance, Money from Church-wardens, Money from Delinquents, Money from the Clergy, they had *ſuch Golden-days* on't by *Viſitations*, *Procurations*, *&c.* that they would always have been upon the ſpur to be at it, till their *eager vagaries* were reſtrain'd, and they confin'd to make but *one Viſitation in a year.* Therefore we frequently meet with ſuch Canons as this,----*Archidiaconi ſuas Eccleſias ſemel tantùm quotannis viſitent; & Archidiaconi non mulctent exceſſus pecuniâ, nec niſi Authoritate Epiſcopi & conſenſu in alios ſententiam promulgent:* ſo that, though theſe Archdeacons were *the Biſhop's Eyes*, yet *not his mouth*; nor could they thunder out an Excommunication without ſpecial Licenſe.

Thus of old *onely ſemel in anno* by Viſitations (but amongſt us) *bis in anno ridet Archidiaconus.*

Nay, though the Biſhop ſuſpends the Arch-Deacon's Juriſdiction three Months before, and three Months after his own Viſitation; and the Biſhop gets the Procurations of the Inferiour Clergy in his Viſitations, (which is but every third year) yet Mr. Arch-Deacon will demand them over again, and the Clergy (good Men) are ſo wiſe and civil as to pay it; even any thing for a quiet life.

Yet in the ſaid *Maxime*, 'tis added, (after *ſemel tantùm quotannis viſitent*) *nè tamen graves ſint*; 'Let the Arch-Deacon viſit but once 'a year, but then alſo without being (burthenſome; or being) '----*Such a grievous Man.*

Yet *Cuſtom is his onely* pretence for theſe Exactions, which Apology here aggravates his Crimes; as if one that is *accuſtomed to take a Purſe, Swear and Curſe*, and pick Mens pockets, ſhould ſay, I beg your pardon, Gentlemen, 'tis but to keep my hand in ure; I am ſo accuſtom'd to't, I can't help it, indeed I cannot. But *cuſtom in ſin augments the Crime*; like an *old ulcer*, (that the Leg has long been us'd to) 'tis the *harder to be cured*, and the *harder to be endur'd.*

It is a *Maxime* of the Common-Law (which is eſpecially made up of Cuſtomes, laudible and reaſonable Cuſtomes, that) *Pur ceo que ceſt preſcription, eſt encounter reaſon, ceo eſt voyd.* Cuſtomes againſt reaſon, (eſpecially againſt Laws and Statutes to the contrary) are void. *Ideoque malus uſus abolendus eſt.*

It is a Cuſtom time out of minde, for wicked men to take Purſes upon *Salisbury-plain*; will this plea ſave a Thief from the Gallows?

Conſuetudo non preſcribit ubi per jus expreſſum reprobatur (Hoſtienſis.) No Man can preſcribe a Cuſtom againſt a Poſitive Law. Hoſtienſis.

And does not the Twenty Ninth Chapter of *Magna Charta*, (that Sacred Law ſo often confirm'd, and the breakers thereof ſo oft Curſt *by Bell, Book, and Candle*, and has withſtood (and ſtood its ground againſt) all Violence, Oppreſſions, Innovations, High-Commiſſion-Courts, *&c.* in oppoſition to it, and riſing up againſt it; nay more, it *Magna Charta* confirm'd by *Edw.* 1. and by *Edw.* 3. four times, and *Rich.* 2. *&c.*

it has been *proof againſt the length of time*, and looks as freſh and flouriſhing, as if it were in its prime; and it is *my Faith*, *my hope and my prayers*, that it may ſo continue to the worlds end; ſure it was made in a lucky hour) which Enacts That

'No Free-man ſhall be taken or Impri-'ſoned, or be diſſeized of his Freehold, '(*of which nature are all Rectories and Vicaridges*) 'or Liberties, or Free-cuſtoms, or be Out-'law'd, or Exil'd, or any otherwiſe de-'ſtroyed; nor we will not paſs upon him, 'nor Condemn him, but by lawful judg-'ment of his Peers, or by the Law of 'the Land; we will ſell to no Man, we 'will not defer to any Man Juſtice or 'Right.

Biſhops are Right Reverend Men, and Arch-Deacons Reverend Men, but ſtill they are *but Men*; and if I were a Clergy-man, if I could not hold my Free-hold, nor obtain it (my Benefice) but *ad nutum Epiſcopi*, I would never hold one whilſt I liv'd; for if ſo, then he that Marries his Chambermaid, or his Son, or his Kinſman, or his Kinſwoman's Huſband, or his Kinſwoman's Maid's Husband, (*if a Clergy-man*) would *find one hole* or other in my coat; or, *make one* (which is more eaſie and more common) big enough to make me looſe their Lordſhips good opinion; who though good Men, and Right Reverend Men, yet whilſt they are ſo, they may erre and be warpt with *Paſſion*, *Prejudice*, *or Intereſt*, againſt which (I know it experimentally) *Innocence is no fence*; and therefore I ſay, if I were a Clergy-man, (as perhaps I am, for ought any body ſhall know) I would leave them *all the Benefices to themſelves*, rather than hold them upon *ſuch tickle* terms, and *not like a Free-man*, and an *Engliſh*-man, by the Laws of the Land, my Birthright.

And does His Sacred Majeſty and his Privy-Councel pretend any right to exact Money, or to raiſe any, or take any mans Freehold from him, but by Law, and Acts of Parliaments? and ſhall theſe Biſhops and Arch-Deacons dare to continue theſe Exactions againſt Law, againſt Chriſts Law; (*not to Biſhop it for filthy lucre*) againſt the Law of the Land, and *Magna Charta*; againſt Sacred Councels, Fathers, and Canons; and all this, becauſe 'tis eaſie to prey upon their own poor gentle kind, though ſo unnatural as aforeſaid?

I wonder they are not afraid of theſe Curſes and Anathema's, (if they themſelves do believe the vertue of them) and Excommunications thunder'd out *againſt the Impugners of Magna Charta*, ſo often, by the Biſhops of old, *with Bell, Book, and Candle?* or do think all *theſe ceremonial Curſes* were only of force againſt the Impugners of the firſt clauſe of *Magna Charta*, namely, that *Holy-Church ſhall be free?*

And do they keep two meaſures, *one to buy by*, and *another to ſell by?*

But let *Magna Charta* and the Laws of the Land *ſleep at preſent*, I'le only henceforth *play my Canons* againſt theſe Exactions, *turn their own Canons upon them*, their Canon-Law, and the Civil Law; and ſure their Lay-Chancellors will *herein* ſtand by them to divert the ſhock: for they are either good (at skill) in *Civil and Canon Laws*, (of which they are *Profeſſors*) or elſe *what are they good for?*

And can there be any fairer play than to fight a man with his own weapons, that he is us'd to, and has skill in, if in any: 'Tis *Argumentum ad hominem*, (which I'le make uſe of, and) which of all Arguments *ſooneſt ſtop the mouth*; out of thine *own mouth will I condemn thee, thou wicked ſervant*, ſays the Parable; and then it ſoon follows, *He was ſpeechleſs!* The Apoſtle *Paul* us'd ſuch a ſtabbing *Argument ad hominem*, Rom. 2. *Thou that ſayeſt* (by thine own Law) *a man* Rom. 2. 22. *ſhould not ſteal, doeſt thou ſteal? Thou that abhorreſt Idols, doſt thou commit Sacriledge?*

I have inſtanced *enough* in the Canon-Law *already*, but if thoſe many already recited will not do, I'le ſtop their mouths for ever, if Canons can do it: For none are ſo frequently met with as Canons to this effect, that *Cenſum à Presbyteris Parochianis exigere, Tyrannicum eſt.* Conſtitut. Apoſtol. l. 2. cap. 32. de Agapis. *Presbyteris, ut qui laborant in verbo doctrinæ duplex ſeponatur, pars in gratiam Apoſtolorum Domini, cujus locum ſuſtinent, tanquam Conciliarii Epiſcoporum, & Eccleſiæ corona.*

Let the Presbyters that labour in the Word and Doctrine have double maintenance, for the ſake of the Apoſtles of our Lord, *whoſe ſucceſſors* they are, (*mark that*) being the Biſhops Counſellors, and the Churches Crown.

And thoſe *Canons* and Conſtitutions *Apoſtolical* (in 8. Books) are numbred amongſt the Books of Canonical Scripture, by *John Damaſcen*; and by *Euſebius*, as alſo *Epiphanius, lib.* 1. *adverſus Hæreſes*: of the ſame opinion is *Proclus* Patriarch of *Conſtantinople*, and *Oecumenius* in *Comment. in Epiſt.* 1. *ad Timoth.* ſo alſo in *Can. Apoſtol.* 84. *Athanaſius* indeed allows them to be of good and wholeſom uſe in the Church, but not Canonical, as compoſed by St. *Clement*, the diſciple and companion of the Apoſtles. J. Damaſc. *de orthodoxâ fide.*

But there are ſo many things *foiſted in* amongſt them by the Pope, (who long had the keeping of them) that though many good things are amongſt them, they are *none of my Creed*; but good enough to ſhew againſt the Canon-Law men, and to prove, that Presbyters or Prieſts are not (in the judgment of Antiquity) *ſuch ſcums and pitiful fellows*, to ſtand with *cap in hand*, like ſo many School-boys, before the Biſhop, whilſt he *ſchools them, catechiſes them, lectures them*, and calls them to account: from the beginning it was not ſo, as I will ſhew anon; they *were his Fellows, and Counſellors* any where, even in

the Church: The only difference was, he ſat uppermoſt, but all ſate, (not ſtood bare-head, like ſo many Boys.) And can there be any greater cauſe of the contempt of the Clergy, and their neglect amongſt the Laity, then when they ſee how the Biſhop (one of their own Cloth, that ſhould beſt underſtand their worth) ſlights them? good God! whither will not pride and oppreſſion hurry frail man?

Can. Apoſtol. *l.* 3. *cap.* 20. *Jubemus Presbyterum tantùm docere, baptizare, benedicere populo: Diaconum miniſtrare Epiſcopo & Presbyteris.* We ordain, That only the Prieſt or Presbyter ſhall preach, baptize and bleſs the people; and the Deacon, (*although Arch-deacon*, (but that he was not then born nor baptized in the Church) ought to wait upon the Biſhop and the Prieſts, or Presbyters.

Cabil. Synod. 2. *cap.* 14. *Cavendum ſanè eſt, nè cùm Epiſcopi Parochias ſuas peragrant, quandam damnoſam*, &c. which I'le faithfully Engliſh thus——

'Special care ſhould be taken, (*ſaith that learned Council*) leſt the 'Biſhops, going to viſit their Dioceſſes, ſhould play the Tyrants over 'their Inferiours, or over their Fellows and Comrades, not exacting 'money of them, by ſtrict and rigorous courſes.

Then follows a Lecture to teach Biſhops what they ought to do in their Viſitations, and what they ought not to do: 'They ought to ſpend their 'time, (*in inquirendis rebus emendatione dignis, in prædicatione verbi Dei, in lucris animarum, potius quam deprædandis & ſpoliandis hominibus, & ſcandalizandis fratribus, operam dent*) 'in confirming men, 'in reforming what is amiſs, in preaching the Word, buſying them-'ſelves in gaining Souls, and not in ſpoiling and making a prey of 'men, and giving offence to their Brethren.

Et ſi quando eis ad peragrandum miniſterium ſuum à fratribus aut ſubditis aliquid accipiendum eſt, hoc ſummoperè obſervare debent, nè quem ſcandalizent aut gravent. Tanta ergò in hâc re diſcretio tenenda eſt, ut & verbi Dei prædicator ſumptus, ubi proprii deſunt, à fratribus accipiat, & item fratres, illius potentiâ non graventur; exemplo Apoſtoli Pauli, qui, nè quem gravaret, arte & manibus victum quærebat.

'And if, for the work of the Miniſtry, ſomewhat be to be received, 'either of their Brethren, or elſe of their Inferiours, yet let them look 'to't, that they neither burthen any man, nor give offence.

'Such prudence therefore is to be uſed in this affair, that as on the 'one hand a Preacher of God's Word may receive ſomewhat of his 'Brethren, to bear his charges, when he has (*mark that!*) no proper 'maintenance and Revenue of his own; ſo alſo his Brethren ought 'not to be burthen'd with his Mightiſhip: In imitation of the Apoſtle 'Paul, who choſe rather to get his living with his hands and Trade, 'then to be burthenſom (or chargeable) to any.

Get their living with their hands! there's no need of that, bleſſed be God, for the munificence and *legal proviſion* is enough, *enough* (if avarice *can poſſibly have enough*) to *glut* men, without being burthenſom to poor Prieſts, and Vicars.

Indeed, if theſe Biſhops and Archdeacons were as poor as St *Paul*, and ſhould *come a begging* our charity as he did; hard-hearted would that man be, that would not open his purſe, for his relief, though his Family faſted for it a day after.

But theſe are rich and mighty, and with Beaver cock'd, make ſpeeches, and give in charge, to pay Procurations to one another;

(that

(*that will not be forgotten I'le warrant,*) and not (*as the holy Scripture ſays*) *Remember the Poor*; but *Remember the Rich* Archdeacon, and the richer Biſhop, with your Procurations, Synodals, and Viſitations; though the poor Vicar's Family pine and pinch for't a month after.

And if they may not thus *go ſnips*, and ſhare in *every Benefice* throughout the whole *Dioceſs*, then Wo be to you, with *Suſpenſions*, *Anathema's*, *Excommunications*, and the *Goal*.

And yet ſome of theſe *Arch-Deacons* pay neither to Church nor Poor, neither to Aſſeſsments, nor yet keeping Hoſpitality, or ſo much as keeping Houſe: Theſe Undue-dues then thus coming into Mr. *Arch-Deacons* hands, (though he be alive, and alive's like,) 'tis no contradiction to ſay they come *in manus mortuas?* Is it not within the Statutes of *Mortmain?*

If they can ſhew any Licenſe from the King, or any of his Predeceſſors, to vex his Subjects thus againſt Law, Reaſon, and Equity: If they had orderly ſued out their Writ *ad quod Damnum*, out of Chancery, before they had eſtabliſhed this Eccleſiaſtical Revenue and Annuity, let them ſhew it: But to plead only *a Cuſtom of ſinning* againſt Law, Reaſon and Conſcience, is the *abſurdeſt* of all their Pleas.

And (in good earneſt) if there were no Law againſt it, Is there any Conſcience that a poor, lean, bare-bone-Vicar ſhould thus greaze a fat ——————— Archdeacon in the - —— Fiſt?

I know that when the Devil ſhew'd our bleſſed *Saviour* all the *Kingdoms of the World in a moment of time*; he ſaid unto him, *All this power will I give thee, and the glory of them, for that is delivered unto me, and to whomſoever I will, I give it.* But that was a Lie. Luke 4. 5, 6.

Yet the Pope ſays, that all the *Kingdoms of the World, and the Power and the Glory* of them are his, and delivered unto him, and to whomſoever he will, he gives them; but moſt eſpecially, all Biſhopricks and Benefices are his, in his donation; And he gave them (*conditionally*) *to go ſnips in them all*; that as the High-prieſt under the Law had the tenth (of the Prieſt's Tythes) ſo he would have the tenth part of every Biſhoprick and Benefice.

And though the Biſhop is not the High-prieſt, as *Aaron* was, and alſo that his Majeſty has the Tenths, yet they would be known too in their places, and *go ſnips with all* the Rectors and *Vicars* in the Dioceſs, by *Procurations*, Synodals, and Viſitations, *&c.* which amounts to as much as his Majeſties Tenths in many Benefices, and in *many* alſo, *much more.*

Though *Aaron's* Law is exemplified in paying the Tenths in *England*; yet never did *Aaron* exact two Tenths or three Tenths of the Tribe of *Levi*; let them even *take all* for me, I hope, in time they'le have enough.

Inventum eſt quod in quibuſdam locis Presbyteri duo denos vel quatuor denos denarios Epiſcopis *in cenſum annis ſingulis darent, quod penitùs abolendum eſſe decrevimus* (that is) 'We hear (*ſays the Synod*) that 'in ſome places the Elders or Presbyters pay the Biſhops every year 'twelve pence or fourteen pence, as a Subſidy or Annuity, which we 'hereby decree ſhall henceforth be utterly aboliſhed. (It is to be hoped the King and Parliament will be petition'd to make ſuch a Decree too here in *England.*) *Syn. Cab. 2. cap. 17.*

Twelve

Twelve pence or fourteen pence yearly for Procurations! It would be well for thouſands of poor Benefic'd Vicars in *England*, if they could put off the rich Biſhop, or *his great Eye* (the Archdeacon) with *ten times ſo much:* no, they'le have it to a peny, or elſe —— *ſuſpend the profits* of the Benefice, *ſilence the Miniſter* ab officio, and *not leave him and his Family* a farthing to live upon, till they be paid, and till the charges of the Sequeſtration and coſts of Suit be alſo paid; or elſe by Excommunication, *his Soul* is delivered *to Satan*, and *his Body* to the *Gaol*; from whence there is no deliverance, till the charges of *putting him* alſo *into Gaol*, and for *his delivery thence* be alſo paid; (which is about ſeven pounds, for Spiritual-Court-Fees, and other conſequents thereof; I know it.)

So that *want of money* delivers the poor Prieſt *to Satan* and *the Gaol*; ſoul and body: and *ready Caſh* again delivers him *from both.*

The Pope, that has *the Keys* of Heaven-gates, (if he ſay true) *pay the Porter* and he lets you in: And our *Abſolution-men* pretend to have the Key of Hell-gates; and to let men out, from the Devil, to whom they themſelves had delivered them for being poor, and unable to pay: but upon condition tho', that if they have any credit to borrow money enough, or empty the Pewter-ſhelf to Alchymize into money, *to pay the Porter*, they let you out; and you are (*as you were*) *rectus in Curiâ*, as honeſt Chriſtians as ever, and you and they as good Friends as ever: Thus *Orpheus* (is ſaid) to trade to Hell, by the Poets, and alſo to redeem men thence by Muſick; Theſe, by Money do the feat.

Oh *Money! Money!* oh the *vertue* of *Money!* the *vice* of *wanting Money!* our bleſſed Saviour ſays, *It is hard for a rich man to enter into the kingdom of Heaven*; but at this rate, quite contrary, *It is hard for a poor man, or a poor Vicar* to come there; if he do not pinch very hard to get money for theſe men, whoever goes without; or in whoſe debt ſoever he dies, if he dies in their debt, *He had better no*; he knows his doom: There wants nothing but * *Sambenitas*, and a Faggot, with the Writ *de Hæretico comburendo*, to make him the moſt wretched.

*A yellow Coat painted with Devils and Hell fire, with which the Inquiſition do array the Jews and Hereticks when they burn them, in *Spain* and *Portugal.*

This is a pretty thriving Trade, if it would but laſt; and for my part, I, (that have as much power to Curſe, Anathematize and Excommunicate, as any Biſhop or Archdeacon of them all, and to abſolve them again) with all my reading and experience, in their Spiritual Courts and Juriſdictions, (*few men have had more, or ſo much as I*) I ſay, I here proteſt, (conſidering the premiſſes, and the repealing of 1 *Eliz.* 1.) that *I know not by what Authority we do theſe things*; by what Authority we deliver the King's Subjects to the Devil, and back again, at pleaſure; what Rule, Canon, Law, or Authority we go by, and who gave us this Authority and Commiſſion; ſince His Majeſty cannot give any ſuch Commiſſion by 13 *Car.* 2. 12.

Luther ſpoil'd the Pope's Market for Indulgences to this day; and 'tis an even-lay but ſome honeſt Proteſtant or other will, by *vertue of the Naked Truth*, ſpoil this *Trade to Hell and back again.*

But how the Devil ſhould be ſo much at their devotion and beck, (as if he was their Gaoler) to take all that they deliver to him, or ſend to him by their *mittimus* of Excommunication; nay, and at their bidding to let men *go free*, as ſoon as they are *pleas'd*, I mean, as ſoon

as

as they are *paid*, together with their Regiſters, and Sumners, tranſcends the apprehenſion of the Vulgar.

Dictum eſt quod in quibuſdam locis, Epiſcopi & Comites ab Inceſtuoſis, &c. (that is) 'We are told that the Biſhops and their Fellows 'take money of offenders, commuting Penance, and then divide the 'ſpoil among themſelves, which we decree ſhall utterly be aboliſhed, 'leſt haply covetouſneſs enter in, *&c.* And *much more* very excellently ſays that honeſt Synod; (of every *ten* Procurators choſen by the Clergy to conſtitute that Synod, *eight of them were not turn'd off*, and not ſuffer'd to enter the Convocation-houſe, I'le warrant.) *Syn. Carth. 2. cap. 18.*

The 19. chapter of the ſaid *Synod* enjoyns, that the Tythes ſhould be there all paid, where their Children are baptized, and the Cure ſerv'd.

The 20. chapter is an admonition to peace and concord. And the 21. chapter forbids all Bribes, and Extortions, committed by Regiſters, Proctors, Commiſſaries and Officials, and the reſt of that *Motley-Tribe*, that like *Lay-Elders*, are (as *Cleveland* ſays)

Moſt Divine-Tick-Tack in a Pye-bald crew,
To ſerve as Table-men of divers hue:
She that conceiv'd an Æthiopian *Heir,*
By Picture, when the Parents both were fair,
At ſight of you had born a dappled Son,
You chequ'ring her Imagination.
Had Jacob's *Flock but ſeen you ſit, the Dams*
Had brought forth ſpeckled, and ring-ſtreaked Lambs:
Like Royſton-Crows, *who are as (I may ſay)*
Friers of both the Orders, Black *and* Grey:
Like him that wore the Dialogue of Cloaks,
This ſhoulder John-a-Stiles, *that* John-a-Nokes.
Be ſick and dream a little, you may then
Phanſie theſe Linſie-wolſie *Veſtry-men.*

But I ſhall tire my ſelf, (as I have done already, and I fear alſo tired my Reader) with tranſcribing old Canons, and old Verſes.

In ſhort, in all the Synods and ſacred Councils, (that I can conſult, and *there's none of them have eſcap'd* my Inquiſition) and alſo in the Primitive times, and firſt three Centuries, Presbyters and Prieſts have been ſo far protected from proud and inſolent Prelacy, that care has been taken of them, even *in Punctilio's*, ſuch, as keeping on the Hat, ſitting, *&c.* in preſence of the richeſt and greateſt Biſhop of them all.

Conſtitutum eſt quod Epiſcopus quolibet loco ſedens ſtare Presbyterum non patiatur, in Eccleſia autem & confeſſu Presbyterorum, ſublimior ſedeat; intra domum vero collegam ſe Presbyterorum eſſe cognoſcat. *Conc. Carth. 4. cap. 34, 35.*

'It is decreed, that the Biſhop whereſoever he ſit, ſhall not ſuffer 'a Presbyter to ſtand before him; nevertheleſs in the Church, and at 'a meeting (or Seſſions) of Prieſts, he ſhall ſit uppermoſt; but in a 'houſe, or at home, he ought to know that he is a fellow and com-'panion of the Presbyters.

Thus the Biſhops call the Presbyter *Elpidius*, — our Brother and *fellow in Office Elpidius*; which is the very ſame Title that is given by the firſt Council of *Nice*, to old *Alexander* Biſhop of *Alexandria*, and *Euſtathius* Biſhop of *Antioch*, two of the greateſt Biſhops and Metropolitans in Chriſtendom, in thoſe days. *In Concil. Illyr.* Theodoret, *l. 4. c. 8.*

And are not good and ſtately Mannors, large Fines, Rents and Incomes, (pertaining to Biſhops and Archdeacons) enough to ſatisfie their apperites, but they muſt long alſo *to pinch ſomewhat* from every *poor bare-bone* Pariſh-Prieſt? who with great ſtudy and pains, and large expence of money and time, at School and the Univerſity, at long-run may perhaps (eſpecially if he or his Friends can part with more money) get into a Benefice.

But by that time *Money for Ordination*, (the true ſin of *Simon Magus*, and the baſeſt Symonie) *Money for Inſtitution*, (to the Biſhop, and his Secretary, his Regiſters, Porters and Servants) *Money for Induction*, (to the Archdeacon, and his Regiſters alſo) Firſt-Fruits, Arrears of Tenths, Dilapidations, Procurations, Synodals and Viſitations, *&c.* are paid, and *many* of theſe payments *without* Law, *ſome againſt* Law, Conſcience, Equity and Reaſon, no wonder the Prieſt is a poor Prieſt all the days of his life; whilſt ſome ſurly Dignitories that oppreſs him, maintain their Foot-boys and Coach-horſes in *better plight*. Let ſuch read a Letter of my Recommendation, 'tis from a Pope (too) of *Rome*, (but before they grew ſo proud and high:) it is *Epiſt.* 3. *Sancti Clementis de officio Sacerdotum*; they know where (ſure) to find it in print: whilſt poor Prieſts lament with St. *Bernard*, *Serm.* 77. *Parum eſt noſtris vigilibus, ſi non ſervant, niſi & perdant:* 'Theſe big-Spiritual-men think it too little to withdraw their favour 'and protection from us poor Labourers, except they alſo do us a '*miſchief.*

Which will certainly be *my reward* from them, for *this Naked Truth*, if they can diſcover me; but God's will be done, 'tis the uſual portion and conſequence of ſpeaking Truth, and plain-dealing; but, God's will be done, I ſay again.

Nay, they will not ſuffer the poor Presbyter to preach, and take pains in his Pariſh, to which he is Inſtituted by them, and of which they have (as by Law bound) given him the Cure, according to his Preſentation, except he alſo *pay ten ſhillings more* for a Licenſe to preach there; although he have had never ſo many Licenſes before, to preach in the ſame Dioceſs, and has already given them ſo many *ten ſhillings a piece* for them.

The *Great Turk* is more merciful to the *Grecian Slaves*, he gives them free leave to pray or preach Chriſtianity, not demanding one peny for the licenſe.

In Popiſh times and Countries, they us'd to ſay, — *No Peny, no Pater-noſter*: in our Country we muſt ſay, *No Peny, no Preacher*, no *licens'd* Preacher.

When a Deacon is ordain'd Prieſt or Presbyter, the Bible is given into his hands by the Biſhop that ordains him, ſaying, — *Take thou Authority to preach the Word of God, and to miniſter the Holy Sacraments in the Congregation where thou ſhalt be ſo appointed.*

Then (*in Inſtitution*) the Biſhop appoints him *where*: one would think, after all this, the Prieſt ſo ordain'd might preach the Word of God *in his own Cure, whereto* the Biſhop has *Inſtituted* him, and whereof the Archdeacon has given him *Livery and ſeiſin by Induction*: But *no ſuch matter*, he ſhall be *ſilenc'd ſtill*, for all this, except the *other ten ſhillings* be paid for a Licenſe, (though he has three or four Licenſes already, and all paid for:) And if the Biſhop come to Viſit the week after

after, or the day after; ſo that he knows well enough that the Miniſter has good *Letters of Orders, and Inſtitution*; (for he himſelf gave it him the other day) yet he muſt pay for ſhewing theſe things again at Viſitations, and though he ſhew'd them all three years before at the former Viſitation, and the Biſhop has them all *upon Record in his Books*, yet he muſt ſhew them again, and never recover them, till he *pay for them again.*

In *Portugal* (I have known) in their Viſitations, the Biſhops make every Pariſh-prieſt pay for a Licenſe to keep a Concubine; And if a man be old, *&c.* and have *no ſtomach to a Wench*, yet *ſtill he muſt pay* a Millroy or two for a Licenſe.

So that now they proverbially ſay, *Viſitationes morum* (are become) *Viſitationes nummorum.*

St. *Paul* indeed went *to viſit the Brethren, and to ſee how they do*; but theſe go to *viſit their Brethren*, and to ſee *how their Pockets do.*

And all they have to ſay for themſelves is, *It us'd to be ſo in Popiſh times*, and formerly practis'd by others that were no Papiſts.

But the Civil-laws alſo provide againſt ſuch foppiſh Pleas. *Error, falſæ cauſæ uſucapionem non parit; nam uſucapio non competit iſtis qui mala fide poſſident.* And many ſuch Laws can I cite, if I liſt, and if I did not think I have done their buſineſs already; If Statute-Law, Common-Law, Civil-Law, or (*their Maſterpiece*) the Canon-Law, Reaſon, Equity, Juſtice or Conſcience, nay, humane Nature and Compaſſion to their own kind will work upon them, *in deſpight* of their intereſt, and *Money—Money.* ——

Juſtinian. Inſt. l. 2. Tit. 6.

And I hope all theſe Laws of God and Man, Reaſon, Honeſty and good Conſcience will over-vote their Intereſt and Money —— and Money —and that they will ask God forgiveneſs, and that every Offender of them, from the higheſt to the loweſt, will make reſtitution; or, at leaſt, ſay with repenting *Job*; Behold *I am vile*, what *ſhall I anſwer thee? I will lay my hand upon my Mouth. Once have I ſpoken, but I will not anſwer*; *Yea twice, but I will proceed no further.*

Thus they will do; *if this work kindly* (as it is intended) upon their Conſciences; but, if in ſtead thereof, (being *gawl'd*) they do nothing but *kick and wince*; and inſtead of *thanking me* for my great pains (here frankly beſtowed upon them for their cure, in much Charity) ſhall rather joyn their Heads together, firſt to find who I am that is thus kindly liberal to them; and then ſecondly, get a Club of Criticks and cunning Lawyers to lie at catch for every Expreſſion here to improve it (that is, to miſ-improve it) to Revenge, then I ſhall be ſorry that I have vouchſaft ſo much pains and care towards them, to ſo little Fruit and Reformation; and ſo little thanks from them, from whom it is moſt eſpecially due. That in their Viſitations (at leaſt) may ceaſe that Dialect, better becoming the *Mouths of Hectors* and Padders, *than Regiſters* and Secretaries of Holy Biſhops, namely —— *Come* — Clergy-man — *deliver your Purſe* — your Purſe — *for Viſitations*, Synodals, ſhewing of Holy-Orders, and Procurations.

Archdeacons have all *good fat Corps*, (ſo they call the Lands and Tenements, (a kind of Glebe) annex'd for ever to their Archdeaconries; they need not *pinch the* poor *Parſon*, that every body pinches.

Pharaoh's Lean-kine indeed, did eat up the Fat ones; but *for the*

the Fat ones to devour the Lean, is a Prodigy *not to be dreamt of*, or imagin'd.

Visitations made by Bishops and Archdeacons, have for their warrant (as some alledge) the Practice and Example of St. *Paul* and *Barnabas*, Acts 15. who went to *visit the Brethren in every City, where they had preached the Word of the Lord, and to see how they do.* And *Paul* went through *Syria* and *Silicia*, confirming (mark that) the Churches.

Acts 15.36, 42

So that the work of a Visitation was to *confirm (or strengthen)* the Converts, by preaching again the Word of the Lord to them; *Not*, by a perfunctory-mumbling over a few canting Words over Childrens heads, as Popish-Bishops do (mimically) in pretence of imitating St. *Paul*, who went to confirm men to the Faith, whereby no flesh alive can possibly be enlightened, instructed, or *confirmed, or strengthened in the Faith.*

Nor did St. *Paul* send his *Sumner* before him, commanding the Disciples or Brethren to come and meet him at such a great Town, where there is a great Church and a great Tavern, and be sure to bring their Purses with them too; or if they could not *both* come, that then *of the two*, they should be sure to send their Purses however, by some Neighbour, though they could not come in person, that so the Atonement and Peace might the better be made.

— *If Cross-grain will not come, then let him stay,*
(Let him but send his Purse) still keep away.

'Tis an unpardonable sin to come to a Visitation and forget your Purse; nay, or to bring it, empty: You may with empty Purse part with your Letters of Ordination, Institution, Induction, *&c.* but there is *no redeeming* them *without Money*; never Man yet in all my Intelligence found any other Redeemer — of them, save Monny — Money.

And yet the first Archbishop, in his first Visitation after the Conquest, namely *Hubert*, Archbishop of *Canterbury*, in the *Council* of *London*, *Anno* 1200. did ordain that no Procurations, or other Money, Toll, or Exactions, should be paid in Visitations, in these very Words. *Prohibemus ne subditos suos Talliis & exactionibus Episcopi gravare presumant. Cùm enim dicit Apostolus, non debent Filii Thesaurizare Parentibus sed Parentes Filiis multò longè a pieate paterna videtur, si præpositi subditis suis graves existant, quos in cunctis necessitatibus Pastoris more debent fovere.*

Rog. Hoveden *Annal. pars post* 807.

Archidiaconi aut sui Decani, nullas exactiones vel Tallias in Presbyteros seu Clericos exercere præsumant, &c. He that likes, may read more of these Decrees two and twenty years after; namely, 1222. *Concil. Oxford*, by *Stephen Langeton* Archbishop of *Canterbury*; and four years after confirmed by *Otho* the Popes Legate. *Concilio Londini. Anno* 1226. and by *Othobon* the Popes Legate, and the Council under him, *Anno* 1248. and before that, by the Diocesan Synod held at *Salisbury*, *Anno* 1217.

Spelman. *Concil Tom.* 2. *p.* 156, 220, 221, 265, 380, 381, 481, 489, 576.

Is it not strange, that a Bishop, and a poor Bishop too, should call a Synod to cry down these oppressions! and yet it was done in the year aforesaid by *Robert Poor* Bp. of *Sarum*. And *An.* 1287. by *Peter Quivil* Bp. of *Exeter*. And by *Walter Raynolds* Archbp. of *Canterbury*, and *Conc. Lond.* in the Reign of K. *Edward* II. And by *John Stratford* Archbp. of *Canterbury*, *An.* 1342. *De visitatione & procuratione Archidiaconorum & aliorum ordinariorum.*

But

But all the Viſitations of old made by Biſhops or Archdeacons were *Eccleſiaſtim*, like that of St. *Paul's* and *Barnabas*.

For to ſend out Citations to Miniſters, Church-wardens, and Sinners, and little Children to come to be Confirm'd, *&c.* at ſuch a great Town; They rather go to viſit the Biſhop, than the Biſhop to viſit his Brethren, as St. *Paul* did, *Eccleſiaſtim*, from Church to Church.

Thus Topſy Torvy can Viſitations now become; as if the *Miniſter* that is enjoyn'd *to viſit the Sick*, (in the Common-Prayer-Book) ſhould ſend out his *Apparitor*, and command the ſick perſon to come and viſit him; or at leaſt, give him a meeting at ſuch a Church, and ſuch a Tavern, and then he ſhall hear what Prayers he will ſay over him.

St. *James* ſays, *Jam.* 1. 27 *pure Religion and undefiled before God and the Father, is this, To viſit the Fatherleſs and Widows*, &c. What to do? To pill them and poll them; No ſurely, that would not be a very *pure Religion*, except of ſuch a pure Religion as is made up of *pure Money*; the Fatherleſs (I ſuppoſe) *like not* the viſits of ſuch kind of Fathers, they had rather they would keep away; and not help to make them poorer, and add affliction to the afflicted; of ſuch Viſiters better have their *Room* than their *Company*; Is *this your kindneſs to your Friends* when you come to viſit them? Hah?

Indeed I find that allowance is taken care for, (in Viſitations of old) but what? Not Money; but Food and Drink, ſuch as the poor Vicar and his Family makes ſhift with, but *never*, never any Money in ancient time. For which let him that liſts conſult *Wil. Lindewood* in his *Provincial Conſtit.* l. 3. *de Cenſubus & Procurationibus*, f. 159, 160. *Johannes de Aton* in his Gloſſes on *Otho's* and *Othobon's* Conſtitutions, *f.* 43, 89. *Angelus de Clavaſio* in his *Summa Angelica*, Tit. *Viſitatio.* alſo *Gratian.* Diſtinct. 42. cap. *non oportet.* Alſo, *Concil Lateran. ſub* Innocent 3. *Pap.* An. 1215. cap. 33, 34. alſo Concil. *apud Caſtrum Gunter.* An. 1251. Concil. *apud Salmur.* An. 1253. *Synod. Andegavenſis*, An. 1263. Concil. Provincial. *apud Langres*, An. 1264. *Concil. Burdegal.* An. 1582, *&c.* collected by *Laurentius Bochellus*, Decret. Eccles. Gallican. lib. 5. Tit. 15. *De viſitatione, Procuratione, & perſonis quibus commiſſa eſt poteſtas viſitandi.* Alſo Concil. *Coloniens* An. 1549. Concil. *Trident* Seſs. 24. *de Reformatione*, cap. 3. *Thomas Zerula in his Praxis Epiſcopal.* par. 1. Tit. *viſitatio.* Surius *Conc. Tom.* 3. *p.* 748.

They all concur —— *Ut nullus Procurationem recipiat niſi in Locis viſitatis duntaxat; & tum, Tantum victuallibus à locis quæ viſitantur*; That Meat and Drink, when the Viſiters are athirſt or hungry, ſhall be given them, but not one Farthing of Money. For, ſays the ſaid Council of *London*, *An.* 1200. The Children ought not to lay up for the Parents, but Parents for their Children; How far is it then from the Piety of Fathers, if rich Prelates, that ought, like good Paſtors to provide for the wants of their poor Flocks under them, ſhould be burthenſome to their Inferiours?

And therefore the ſaid *John de Aton* in his Gloſs on that clauſe of *Othobon's* Conſtitution, *f.* 89. hath theſe Words; *viz. Nos tam Eccleſiarum indemnitati quam Prælatorum ſaluti conſultius providentes diſtrictiùs inhibemus, nè quis eorum Procurationem (quæ ratione viſitationis debetur) ab Eccleſia quacunq; recipiat, niſi cùm eidem viſitationis officium impendit, qui vero receperit donec reſtituerit ab Ingreſſu Eccleſiæ ſit ſuſpenſus*; (By this Law then the Biſhops and Archdeacons muſt make reſtitution, of all the Moneys they received for *Procurations*, or elſe be *Suſpended*, and not

ſuffered to enter into the Church, until they reſtore thoſe ill-gotten Goods.) *Et hæc ratio fortè movet Epiſcopos hujus Regni, qui in Viſitationibus ſuis Procurationes ab Eccleſia communiter non exigunt; quia ad ſingulas Eccleſias ob cauſam Viſitationis non declinant, licet plenè perſonas viſitent tàm Clerum quam populum; ob hanc cauſam nunc ad unum locum, nunc ad alium congruum convocando; cùm tamen Procurationem debeant recipere tantummodo de locis viſitatis.*

In ſhort, *Viſitations* of old were to a good end, like that of *Paul* and *Barnabas*, by preaching the Word again to them, to *confirm* them, or *ſtrengthen* and corroborate them in the Faith.

Afterwards, this Godly uſage became a Trade, but never till there was Money to be got by it: a nuſance, that Pride and Covetouſneſs invented, and continues in ſpight of the Laws and Canons of God and man.

Comment. in Epiſt. ad Titum, c. 1.

For which cauſe the learned French Biſhop *Cladius Eſpencæus* complains in theſe words: —— *Minores non tantum Epiſcopi ſed ut Archidiaconi, eorumque male officioſi (abſit verbo invidia, nam de malis loquor) Officiales & Vicarii, dum Diocæſes & Parochias obequitant, non tam facinoroſos & criminum reos pœnis & correctionibus à vitiis deterrent, quæ ſine Peregrinationes hujuſmodi olim jam fuerint jure canonico ordinatis, quam pecuniâ præſenti & numeratâ, titulo Procurationis, ne dicam fictitiæ Juriſdictionis emungunt, & exigunt tum Clericos, tum Laicos.*

Firſt, they bring their *printed Articles* for the Church-wardens of every Pariſh *to buy*, (and though they have half a ſcore of them) which the Pariſh has bought ten years together, yet ſtill they muſt buy a new Book every year, or lay down the money for it, and then you may chuſe whether you will take it with you or no: Then alſo the Church-wardens muſt ſwear to keep and obſerve thoſe Articles; And are not all that do ſo, forſworn? Then they muſt give money (*a grant*) for being ſworn; then they muſt ſwear to Preſent, and if they do not make a Preſentment, they are Excommunicated; if they do put in a Preſentment, ſpecially written in Court, and very brief, with an *omnia bene*, for which they pay a ſhilling) then alſo for putting in the Preſentment a ſhilling more. For three ſhillings and ſix pence, or three ſhillings and eight pence, a Church-warden may eſcape cleverly. But ſaith the ſaid French Biſhop, the Minor Biſhops and Archdeacons, and their *wickedly-officious* (pardon the word, for I ſpeak only of the wicked) *Officials*, and *Vicar-generals* in their Viſitations, do not ſo much deterr men from ſin, by puniſhing the criminals, as to *drain their purſes* by exacting ready monies, of the Clergy and Laity, by the name of Procurations, and I know not what feigned Juriſdiction: Thus the ſaid good Biſhop *Eſpencæus*.

And therefore in the greateſt height of Popery in *England*, the Kings Judges and Juſtices in his Temporal Courts have uſually decreed, that Excommunicate perſons ſhall be abſolved (*clave errante*) when the Judges diſallowed the cauſe for which a man was Excommunicated: And many Actions of the Caſe have been brought againſt the Archdeacons, *&c.* for Excommunicating men for things out of their cognizance, and exceeding the limits of their Eccleſiaſtical Juriſdictions; namely, when they meddle with the right of Patronage, *exempt Churches*, (being Lay-Fees, *&c.*) and have made them *pay ſawce* for being ſo *ſawcy* and pragmatical.

I'le inſtance in one: Pat. 18 Edw. 1. m. 26. *De libertatibus liberarum Capellarum Regis.*

Rex

Rex omnibus, &c. *ſalutem. Inſpeximus literas celebris memoriæ Domini* H. *Regis* Angliæ *patris noſtri patentes, in hæc verba.* Henricus *Dei gratia Rex* Angliæ, *Dominus* Hiberniæ, *Dux* Normanniæ, Aquitaniæ, *& Comes* Andegav. *Omnibus ad quos*, &c. *Cùm plures in* Anglia *Capellas habeamus exemptas, quorum libertates locorum Ordinarii infeſtant*, &c. *Reſcriptum igitur Apoſtolicum de verbo ad verbum ſic duximus ſubſcribendum.* Innocentius *Epiſcopus Servus Servorum Dei, kariſſimo in Chriſto filio Regi* Anglorum *illuſtri, ſalutem & Apoſtolicam benedictionem. Tanto libentius Celſitudinis tuæ precibus benignum impartimur aſſenſum, quanto inter Reges & Principes Chriſtianos te ſpecialiter reputamus dilectum filium & devotum: Tuis itaque ſupplicationibus inclinati, diſtrictiùs inhibemus, ne ullus Ordinarius, aut etiam Delegatus vel Subdelegatus in Capellas Regias & Oratoria earundem Eccleſiæ, Romanæ immediatè ſubjecta*, &c. *Excommunicationis vel Interdicti ſententiam audeat promulgare, ſeu aliquod ipſis onus imponere, quod aliis exemptis Eccleſiis*, &c. *Nulli ergo omnino hominum liceat hanc paginam noſtræ inhibitionis infringere*, &c. *Si quis autem hoc attemptare præſumpſerit, Indignationem omnipotentis Dei, & beatorum* Petri & Pauli *Apoſtolorum ejus noverit incurſurum. Dat.* Lugduni, 12 *Kal. Auguſti, Pontificatus noſtri anno* 3.

What à doe was here made? what care taken? what Intereſt made by a great King at the Court of *Rome?* for what? for nothing in the world but to keep the King's exempt Churches and Chappels free from the Biſhops Impoſitions and burdens; the Pope reſerving them for his own Tooth: for ſo it follows in the ſaid Bull, — *abſque mandato ſedis Apoſtolicæ ſpecialis.* — This in Engliſh ſounds like that of the Lawyer, to his brother Attorney:

——— *Loving Brother,*
Pluck thou one Gooſe, and I'le pluck t'other.

I am confident the Brethren all over *Syria* and *Silicia* were mighty glad to ſee *Paul* and *Barnabas*, when they went lovingly to *viſit the Brethren and ſee how they did do.*: They did not make Friends, nor beg, — ſaying, *Let me be exempt*, and *Let me be exempt*, but certainly were *very glad to ſee them*; for thoſe *Viſitors* came to do them *good*, not *harm*; to ſtrengthen their Faith, not to weaken their Eſtates; to enrich them with Graces, not to impoveriſh them with Extortions and Oppreſſions; with hand and heart to better them, not with hand in Pocket to beggar them: like thoſe wretched Prelates St. *Bernard* complains of, *Quem dabis mihi de numero Præpoſitorum qui non plus invigilet ſubditorum evacuandis marſupiis quam vitiis extirpandis?* ſhew me ever a Prelate of them all, that is not more rare at emptying the Pockets of them that are ſubject to them, then in extirpating prophaneneſs? *Non eſt cuſtodire, ſed perdere; non ornare ſponſam, ſed ſpoliare; non eſt defendere, ſed exponere; non eſt inſtituere, ſed proſtituere; non eſt paſcere gregem, ſed mactare & devorare; dicente de illis Domino, Qui devorant plebem meam ut cibum panis; & quia comederunt Jacob, & locum ejus deſolaverunt. Et in alio Propheta; peccato populi mei comedent; quaſi dicat, peccatorum precia exigunt, & peccantibus debitum ſolicitudinem non impendunt.* This is not to *defend*, but to *offend*; not to *adorn* the Spouſe of Chriſt, but to make her *forlorn*; not to protect, but ruine; not to inſtitute, but to proſtitute; not to feed the Flock, but to eat and devour it; as ſaith the Lord concerning them, *They eat up my people as they eat bread*: they have devoured *Jacob*, and made waſte his dwelling-place. And in another Prophet, *They eat up the ſin of my people*;

Bern. Serm. 77. ſuper Cantica.

Pſa. 14. 4.

Hoſ. 4. 8.

(that

(that is to ſay) They exact Money of Offenders, and are more diligent to make them pay for their Sins, than cure them of their Sins. So that as good ſtoreof differences and diſſentions (that makes other men break) makes the Lawyer ſound and whole; And as a ſickly Autumn is the Phyſician's Harveſt; ſo a wicked Dioceſs made the fatteſt Prelate, it ſeems (in St. *Bernard*'s time,) by commuting Penance, Excommunicating, then Abſolving, then Preſenting them again, and *at them again* the next Viſitation, Money — more Money.

Ibid. *Succeſſores omnes cupiunt eſſe, Imitatores pauci.* They would all be accounted the Apoſtles Succeſſors, but few will follow the Apoſtles examples: *Oh utinam tam vigiles repirirentur ad curam, quàm alacres currunt ad cathedram*: Would they were as watchful in diſcharging the Cure, as they are nimble to get into the Chair!

Sed & ſi literis forſitan mandentur iſta quæ dicimus, dedignabuntur legere: aut ſi forte legerint, mihi indignabuntur, quanvis rectiùs ſibi hoc facerent. But if haply, (ſaith St. *Bernard*) what I now ſay ſhould be committed to Writing, they would not vouchſafe to read the ſame; or if they did, they would be raging mad at me, whereas by right and good reaſon they had more need be enraged againſt themſelves.

Theſe *Spiritual-Gluttons* had need to *go to School* to the Heathen Poet, and learn his Common-prayer.

Hor. *lib.* 1 *Ep.* 18.

Sit mihi quod nunc eſt, etiam minus, ut mihi vivam
Quod ſupereſt ævi, ſi quid ſupereſſe volent Dii.
Let me but keep the pittance that I have,
Nay, though 'twere leſs than 'tis, I no more crave;
'Twill ſerve to help me (jogg on) to my Grave.

Rot. 25. *in alb. Tur.* Lond. *Placita & Aſſiſæ capta apud* Northampton *in craſtino natalis Sancti* Johannis Baptiſtæ, *Anno Regni Regis* Henrici *filii Regis* Johannis *triceſimo primo*; *Coram* Rogero *de* Thurkelby, *& ſociis ſuis Juſticiariis.*

—*Eſſoniator* Dragonis *de* Staunton, *&* Henricus *filius* Roberti *Eſſoniator* Aliciæ *de* Staunton *obtulerant ſe quarto die verſùs Magiſt.* Nicholaum *Archidiaconum de* Bathoniâ, *de placito, quare tenuit placitum in Curia Chriſtianitatis de feodo ipſorum* Dragonis *&* Aliciæ *de* Staunton, *contra Prohibitionem, &c. & verſùs* Walterum *Perſonam, &c. & verſùs* Wil. Lenteneley *de placito quarè ſecutùs eſt placitum in curia Chriſtianitatis de laico feodo, &c. contrà eandem Prohibitionem, &c. Predictus* Walterus *occaſione prædict. diſtrictionis fecit ipſos cituri coram officiali Archidiaconi* Bathoniæ *apud* Briſtoll *in Eccleſia S.* Mariæ *de la* Radeclyve; *Et cum ipſi detuliſſent eidem* Waltero *Prohibitionem Domini Regis, nè predictus* Walterus *Placitum illud ampliùs ſequeretur, idem* Walterus *ſpretâ Prohibitione Domini Regis, ſecutus eſt placitum illud in curia Chriſtianitatis coram Archidiaono* Bathoniæ *de die in Diem, & fecit ipſos Excommunicari, &c. unde dicunt, quod deteriorati ſunt & dampnum habent ad valentiam* 10l. *& inde producunt, &c.*

Et Præceptum eſt eidem Waltero *quod interim Abſolve faciat Prædictos* Dragonem *&* Aliciam *ſectam, &c. Et poſteà per præceptum Juſticiar. de nunciavit ipſos à ſententia illa abſolutos, &c.*

This, (amongſt many others, wherein I could inſtance) is but to ſhew that *the King's Judges* did controul the inferiour Juriſdictions, (called Eccleſiaſtical) and *Judge* whether the cauſe or contempt deſerved Excommunication, and accordingly commanded *Abſolution*, &c. as I have known the Lord Chief Baron, (in his Majeſties Court of Exchequer)

quer) about seven years ago, command Doctor *Lake* (Commissary of *Lincoln*, and then in Court) to absolve one *King*, *&c.* to which the *Doctor* making some tergiversation, the Lord Chief Baron threatned to lay him by the heels for his contempt.

For it is great insolence, for a Commissary, Official, or his Master, the Archdeacon, to excommunicate in their Courts and Visitations the Kings Subjects, except by Authority and Commission from God or the King.

From *God*, they have no more power to excommunicate or to hear Causes, then hath any Parish-Priest in his Parish, if so much: And if they have a Commission from the *King*, (let them shew it) but when they have shewn it, I dare say it will run, with submission to his Majesties Decrees in his superiour Courts; *Courts* of Record at *Westminster*; *Courts* of good and great use; *Courts* that have his Majesties Authority and Commission to shew for what they do; *Courts* that do not bear the *Sword in vain*; *Courts* that are not made up only of an empty noise of Curses and Anathema's, thundring and cracking as if they came from Heaven, when all is but — *vox & præterea nihil*, and not of little or no use, but to vex and weary out the Supplicants, Suiters and Attendants, by enriching some *few* (not of the *best* of mankind) with Money, — Money.

And on the contrary, how careful have our Kings of *England* been rather to encourage *Parish-Ministers*, that labour and look after the Flock, even in times of Popery; as for instance in this Brief, *sub privato sigillo Edwardi* 1. *anno regni ejus* 33. in these words.

Rex dilecto sibi Ricardo Oysel, *Ballivo suo de* Holderness, *salutem. Mandamus vobis, quod de exitibus Molendinorum nostrorum in Balliva vestra faciatis Decimas dari Personis Ecclesiarum in quarum Parochiis Molendina ista existunt, prout alii Magnates de regno nostro, ac hominis partium illarum Decimas dant de exitibus Molendinorum suorum. Et nos vobis inde in compoto vestro ad Scaccarium nostrum debitum allocationem fieri faciemus. T. R. apud* Westm. 20 *die* Octobris. *Per breve de privato sigillo.*

And good reason (sure) had that valiant King to give all due encouragement to the Inferiour Clergy, if we consider how he was affronted, and defy'd and *brav'd* by the *Prelates*, especially by *Robert* Archbishop of *Canterbury*, so that the King was forc'd *to put* all the Rebellious Prelates and Clergy *out of his protection*, seizing their Goods and Revenues, until they (at long-run) submitted themselves, after a tedious *Bustle*, (to which they were encouraged by Pope *Boniface.*) *Polid. Virgil Angl. Hist. l.* 17.

I know that the King granted his Favour afterwards and Protection to the said stout Archbishop *Robert* and the rest, and suffered the said Archbishop to stand by him and his Son upon *a wooden Scaffold* (erected before the Gates of *Westminster-Hall* for that purpose) when with many Tears the King askt Pardon (with all Humility) not the Archbishop's Pardon but that the People would pardon him; but it was not for his humbling the proud Clergy as aforesaid, but for his Arbitrary Government; *Dicens, se minùs bene & tranquillè quam Regem decceret ipsos rexisse, &c. Rursum, ut libertates contentas in Magna Charta, & de Foresta, in usu extunc efficacius haberentur, & voluntarias super his exactiones inductetus, de cætero quasi in irritum revocaret, petentibus Commitibus & Baronibus; Rex Articulos in prædictis chartis contentos innovari insuper & observari mandavit.* Henry *de* Knyghton adds, *Rogaritq; Populum accepta licentia, ut omnia condonarentur ei, & orarent pro eo; & orabant quidam publicè, alii vero sic, alii vero occulte, pauci vero bene.* *Walsingham Hist. Angl. p.* 36. *Mat. West. An.* 1297 *p.* 409, 410. *Ypodigma Neustr. p.* 84.

Anno 32 *Edw.* 1. this King was again affronted by *Thomas Corbridge* Archbiſhop of *York*.

For when the King by his Letters Patents granted to Mr. *John Bouhs* the Prebend of *Styvelington* in the Church of St. *Peter* in *York*, and commanded *Thomas Corbridge* the new Archbiſhop to admit him, *&c.* after two ſucceſſive Mandates, he neglected to do it, to the King's damage 10000 *l.* (as in the Plea Rolls of Trinity Term held at *York*, 32 *Edw.* 1. is at large expreſſed.)

To be ſeen in the Receivers Office of the King's Exchequer at *Weſtminſter*.

Thereupon the Archbiſhop being ſummoned to anſwer this contempt before the Kings Juſtices, he appearing, anſwered, 'That he was always 'ready to obey the Kings commands, ſo far as he could; but he could not 'admit the King's Clerk, becauſe the Pope had conferred the ſaid Preben-'dary, and Chappel thereunto belonging, on his own Clerks, of whom 'they were now full; and that he could not make void the Act of the 'Pope, his ſuperiour Lord, nor deprive or remove his Clerks; And there-'fore prayed the King to hold him excuſed; refuſing to give any other 'anſwer.

Whereupon Judgment was ſolemnly given againſt him, 'That what he alledged 'was no ſufficient cauſe for him not to execute the Kings commands; and that all 'his Temporalties ſhould be ſeized into the Kings hands for this his contempt, *&c.*

By which we may ſee, that even in times of Popery, the Kings of *England* have oppoſed the Popes Innovations and Uſurpations, and the Kings Juſtices have taken cognizance of theſe Eccleſiaſtical matters; and that no Foreign Mandates or Bulls were pleadable in the Kings Courts, in bar of the Kings Writs; and that long before the Reign of King *Henry* 8 obedience to the Pope before the King, was adjudged a very high contempt in Law, and had a ſuitable puniſhment; and that the Kings Temporal Courts had Soveraign Juriſdiction over the Eccleſiaſtical Proceedings, which is alſo more evidenced by the ſeveral ſorts of Mandates and Writs, even in times of Popery, frequently iſſued out againſt Archbiſhops, Biſhops, Eccleſiaſtical Judges and Ordinaries, commanding them to do *this* and *that*, and prohibiting them *not to do this* and *that*; witneſs the Writs of *Quare impedit*, *Quare incumbravit*, *Quare non admiſit*, *de Clerico admittendo*, *de copia libelli deliberanda*, *de permutatione Beneficiorum*, *de revocatione Præſentationis*, *ae Reſidentia facienda*, *de cautione admittenda*; *de Aſſiſa ultima Præſentationis*, *ceſſavit de Cantaria*, *de Non-reſidentia pro Clericis Regis*, *de Præſentatione ad Eccleſiam*, *Prebendam*, *Capellam*, &c.

Bracton.

Nay. (it ſeems to me that) even in times of Popery, the Kings Judges would take no notice of any Excommunications, but what were decreed by the Biſhop himſelf, or one that hath ordinary Juriſdiction, and is immediate Officer to the Kings Courts.

Cook. Inſt. 1. 134. a.

Becauſe only upon the *ſignificavit's* of Archbiſhops, and Biſhops only, or ſuch as have ordinary Juriſdiction, ſhall be iſſued out the Writ, *De excommunicato capiendo.*

Cook. Inſtit. Sect. 201.

For if a Biſhop do not certifie the ſame upon his own knowledge, (but *only by hear ſay*) or the *Certificate* of another Biſhop, (and by parity of reaſon, of any other man, as his Commiſſary, Archdeacon, *&c.*) ſuch *Certificate* is not ſufficient.

And of theſe Eccleſiaſtical Proceeedings the Kings Juſtices are the only Judges. Much more are they Judges at this day whether theſe Procurations and Viſitations ſhall be paid, being ſo contrary to *Magna Charta*, as well as againſt the Canon-Law, Equity, Reaſon and Conſcience.

And alſo Judges whether the Seal to the *Signicavit* be a legal Seal aaccording to Statute, and whether all the Proceſſes have been made in the Name and Stile Stile of the King, as well as ſeal'd with the King's Arms? For (all the reaſon in the World that) if the Clergy will take in (to help them on with their Eccleſiaſtical Ordinances and Juriſdiction (*The King's helping hand* to conduct all Men to the Gaol whom they have deliveredtothe Devil; that their proceedings alſo ſhould be, as the Law enjoyns, in the name (ſtile, and under the ſeal) of the King.

But ſtrange alſo is the Practice at this day in their *Spiritual-Courts* in many particulars; I'le inſtance but in *two* atpreſent, this diſcourſe more properly coming under another head. One is in the Caſe of *Probate of Wills*, the other is in *the Caſe of Excommunication.*

The

The Practice at this day, as to *Probate of Wills*, (wherein Lands, Tenements and Hereditaments are given and granted) is for the Regiſter to keep the Original Wills, and give the Executor only a Copy of the Original-Will, to which Copy they affix the Seal of the Court.

Eſtates diſpoſed by Will are uſually in Prejudice of the Heir at Law, and yet if the Heir by Will have a Tryal at Law with the Heir at Law, and ſhow the Will prov'd under the Seal of the Court, he will loſe his Lands for all that; for the Judges at this day will take no notice of it; and if he goes to get the Original out of the Regiſter's hands, ſometimes 'tis loſt, and cannot be found for Love nor Money, then *farewel Land*, for that's alſo gone *paſt* all *Recovery*; or, if the Regiſters do happen to ſtumble upon the Original, they will not part with it except you give them a thouſand pound Bond and good Security to return the ſame; and alſo 40 *s.* or 50 *s.* it uſually coſts over and above; I know it to be true by woful Experience; to the ruine of many a man's Eſtate, to the defeating the Will of the deceaſed, and in defiance of the Statute 21 *Hen.* 8. 5. which commands them to affix the Seal of the Court to the original Will, in ſuch caſes where Lands and Hereditaments are bequeathed, and deliver it to be kept by the Executor, or Party concern'd; for who can ſafer keep a man's Deeds than himſelf: and for the *Copy*, they ought to take but one peny for every ten lines thereof, whereof every line to contain ten inches in length 21 *H.* 8. 5.

So that (if the Queſtion be ask'd again, What are the ſpiritual Courts good for?) Are they not good at acting in defiance of the Statutes of this Realm? And have they not always been good at that, as in many Inſtances appears in this Diſcourſe? I will not adviſe (*tho'*) that to make them good and *wholeſom*, they ſhould *be dreſt* and *be dreſt*, as the *Doctor* advis'd his *Patient* to dreſs Cucumbers, with which he had long been enamour'd, to the ruine of his health; namely, To take the Cucumbers and ſlice them, and waſh them in Vinegar, *then* in Salt and Water, *then again* in Vinegar and Salt, and *then* in Vinegar and Pepper, and *then laſtly* (the only way to keep them from being miſchievous is) to throw them to the Dunghil.

But certainly Errors from the Rule, from the Rule of holy Scriptures, the further they go, the further they go aſtray; and it can have no colour of charity, or pretence from God or Chriſt, or the holy Scriptures, to deliver precious Souls to the Devil, for want of paying the Knave a Grant; if their Excommunications were (as they pretend) a real delivery to Satan, *a precious Soul* (for whom Chriſt died) is *too cheap* in all conſcience to be fairly delivered to the Devil for the value of a ſhilling or two.

But (that the beſt on't is) they'l redeem *it* again alſo for *as cheap a price*; a man would wonder ſuch miſchiefs ſhould be no more taken notice of, except the Fellows are look'd upon to be ſo contemptible, as that no wiſe man heeds them nor their Blunder, nor their Thunder.

Another miſcarriage is, That whoever the Regiſter with ſome *little Surrogate*, (whom the Regiſter leads by the Noſe) for the blindeſt and the willingeſt to be ſo led is the *fitteſt Property*) ſhall excommunicate, though but for want of paying the Regiſter his Fees, illegal and unjuſtifyable Fees; all Pariſh-Miniſters are bound to deliver their Flock ſo excommunicated to the Devil, or declare the ſame (*ſo to be*) publickly in the Church, though he knew nothing of the merit of the Cauſe, nor of the due courſe of Proceedings.

But *that's not all*, a worſe miſchief is yet behind, namely, *The Biſhop:* The Biſhop (upon the *Certificavit* of the Arch-deacon's Regiſter) grants his *Significavit*, without hearing any thing of the Cauſe; ſo that, as *Papiſts* believe, as the Biſhop of *Rome* believes, ſo here quite otherwiſe (yet no better) the Biſhop believes as the Regiſter of the Arch-deacon's Court believes, and whatever *he certifies* the Biſhop, he *ſignifies* into the High Court of Chancery; ſo that it is uſually more ſafe to diſpleaſe any Lord in the Land, than a little, ſtingy, ſneaking Regiſter that bought his Place, and muſt make his beſt on't. 5 *Eliz.* 23.

And we may ſay of theſe pityful Fellows as was ſaid of Pope *Alexander* the 6th. his Simony, in ſelling ſo many Benefices, Cardinal-Caps, Indulgences, *&c.* as he was Pope, having firſt by Bribes purchas'd the Popedom:

——*Emerat ille prius.*

Why ſhould not Chapmen ſell their Ware, When above-board they bought it fair?

Synodal, are certain yearly Exactions, paid by every beneficed-Prieſt to the Arch-deacon out of every Benefice, in every Arch-deaconry yearly and every year, throughout the whole Kingdom of *England*. Originally,

Originally, They were given to the Clergy voluntarily, for the maintenance of their *two Procurators*, which were in every Arch-deaconry throughout *England*, chosen by the inferior Clergy, to represent them and vote for them in the *Synod*.

In imitation of the Wages allowed to the Knights, (*4 s. per diem*) Citizens and Burgesses (*2 s. per diem*) for every day they Sit actually in Parliament, for which there are several Statutes of old time made, but seldom or never in these days put in use and practice, except here and there by some *needy man*. But however there is a Law for this, but Synodals are against Law, and therefore they differ (only) as right and wrong.

Besides, They were *Free-will Offerings*; but now they are commanded and *exacted* as a Tribute to Mr. Arch-Deacon in pain of Suspension, Excommunication, silenc'd *ab officio*, (you shall not pray nor preach till you pay him, nor administer the blessed Sacraments, you shall not serve God, nor so much as come into the Church, till he be first serv'd, (that is) paid) And also your Benefice too shall be fleec'd, he will *go shares*, or the Minister shall have *no share* at all.

And yet originally this was conferred in kindness to the two Procurators, that were chosen to be Representatives in the Convocation, and for their encouragement to perswade them to accept the Place, in behalf of all the benefic'd Ministers of that Arch-deaconry.

But what do you tell Arch-deacons of *Originals*, or whence the Procurations and Synodals came originally? Very few of them know that, and if they do, they desire not the knowledge of these ways, *Rem, rem, quocunq; modò rem.*

If they be *for Canons*, why do not the Bishops suspend all the Arch-deacons, and excommunicate them *at least with the lesser* (for so they distinguish) *Excommunication, ab Ingressu Ecclesiæ*, till they repent of their wickedness, and till they make Restitution, as the Canon enjoyns? And why do not then also the Archbishops excommunicate the Bishops according to that Canon, until they repent, and make Restitution to the poor Clergy? (They have made younger Brothers of them (to be sure) long enough.) *Brothers*, quoth he? If this be the kindness of Brothers and Brotherly-kindness, we'le even disclaim the Kindred at this rate; *I hate the Friendship that must be bought.* I know the *Synod* does not sit usually three days during a whole Sessions of Parliament; no matter for that; *Synodals, Synodals* the Arch-deacon will have, right or wrong: Indeed the Parliaments now adays have got an opinion (as aforesaid) to see with their own eyes, *saving their presence*, and therefore though present in Synod, they sit long enough before they ask them a Question, or send to them of late days; *no matter still* — Arch-deacons will make the poor inferior Clergy pay *notwithstanding they do not sit*; strange People! what will you *take a man's money for nothing?* So impossible it is for any man that ever came in their fingers, to get out of their clutches. The *Rich-man* (in the Parable) was tormented in the Flames of Hell; for what? for robbing poor *Lazarus?* No, (he was not so vile) but for not relieving him according to his ability, and yet he did relieve him with a niggardly Benevolence--the Scraps and *Crumbs that fell from his Table*, (some Crumbs of comfort in that.)

John de Aton in Gloss. in constit. Othon.

But our richer Dignitories, though they *fare deliciously every day*, and have lusty Revenues, &c. yet that satisfies not, except also they *grinde the faces of the poor* Vicars, against all Conscience and Equity, as well as against Reason and Law.

If it be a sin to drink *Wine in Bowls, and not be affected with the afflictions of* Joseph; what is it to *add affliction to the afflicted*; and help to load the Back that is already ready to break? Hard is his heart that can find in his heart to rob the Spittle.

In the Primitive-times, (and long after) no Bishops were elected but by the People, and benefic'd Clergy of the Dioceſs; *then* by the Clergy; *after that* (in Times of Popery) by the great Clergy-men, *the Dean and Chapter*, to whom the King sends the *Conge d'Eslire*, nominating (*tho'*) therein who he will have them elect, and *'tis well enough.* But I name it for this, to wit, That the Primitive Christians and Clergy, (by whose Suffrages) one of their Brethren were advanced of their heads, it could not be expected in all gratitude and ingennity, but that the new-advanced Bishop should be *kind and loving* to his Brethren of the Clergy, and do them *all the good and grace* he could, and not misimprove his Power to do them all the *mischief or disgrace* he can; if his Power be of *the same Make*, (and like the Apostles) that was for *edification* (as aforesaid) and not for *destruction.*

Of

Of *Churchwardens.*

Query III.

Whether Churchwardens be Lay-men or Clergy men?

BY what has been ſaid, the Remove is very ſhort and eaſy, from a Clergy-man to a Lay man; and a way neither longer nor more difficult, than from a Lay-man to a Clergy man; which certainly is not very far.

It would as much have puzzled our learned ones to know by what name to have call'd St. *Paul* if they had catch't him a Weaving (as aforeſaid) Whether a Clergy-man or a Lay man, as to anſwer this Quære, *What kind of Creature* (as to Eccleſiaſticalls,) *is a Churchwarden?* If we find him at Plow, we are apt to think him a Lay-man; but if ye find him (as he is made by Statute) *a Biſhop or Overſeer* of the Poor and ſerving Tables, (the ſole Office of a Deacon in the Primitive-Times) why is he not as much a Clergy-man as any Deacon, or as thoſe 7. Deacons Choſen? *Acts* 6.

Like an Impropriator's Motley kind,
Whoſe Scarlet Coat is with a Caſſock lin'd;
So mixt they are, one knows not whether's thicker,
A Laire of Burgeſs, *or a Laire of* Vicar. Cleveland.

The Papiſts have 7. kind of Orders, And all of them, as well as Prieſts, are examin'd, and their abilities approv'd by the Biſhops, before their Graces paſs, namely, *The Door-keepers, Readers, Conjurers, Taper-bearers, Sub-Deacons, Deacons, Prieſts.*

The 3. *laſt* of theſe, namely, Sub-Deacons, Deacons, Prieſts, are onely accounted *Holy Orders.*

Our Churchwarden's Office, is much the ſame with the *Sub-Deacon's*, (not the *Conjurer's*;) Few of them are guilty of that; if they were, ſure they would not take the following Oath of Churchwardens uſually given to them, in the Spiritual-Court.

Our Church-warden, indeed, does not read the Epiſtle, nor perform any Publique Sacred Office, as the Deacons, and ſub-Deacons do amongſt the Papiſts; But his chief uſe amongſt us is to take care of the Poor, and Church, and to Repair them both; to provide Bread and Wine for the Holy-Supper; And not onely be the *Common-Informer for that Year*, but alſo to preſent all Offences upon Oath; ſo that he is not onely an *Accuſer*, but a *Witneſs*; does not onely preſent, but in ſome ſort alſo *Convict*, as being upon his Oath.

Which Oath is uſually given to them in theſe words——

YOU ſhall Execute the Office of Church-warden in the Pariſh where you are choſen for this enſuing Year, according to his Majeſties Lawes Eccleſiaſtical, So help you God.

By what has been already here diſcuſs'd, It may be evident; How difficult it is, (even for a *Doctor of both Lawes*) to decide *which are thoſe Lawes* Eccleſiaſtical that are this day *in force*; and which are not ſo in force, but void and *of no effect*.

Some of them *ſwallow* the Oath glib (poor Hearts) rather than venture to be Excommunicated; then paying Three ſhillings and ſix pence, and (*if they make a Preſentment*) a ſhilling more for that; and *fare-you-well*, till the next half-Year, (that is) the next Viſitation.

But if they *be ſtubborn*, and will *neither pay nor ſwear*, (as the better half uſually do,) then they are *delivered to Satan* by Excommunication; and if they do ſwear, how are their Souls hazarded by down-right Perjury? Their caſe is a Pitiful caſe, that's the truth on't; and deſerves the wiſeſt and greateſt conſideration.

I never durſt give that uſual Oath, but thus——

YOU ſhall Execute the Office of Church-warden in the Pariſh where you are choſen, according to your diſcretion, and skill in his Majeſties Lawes Eccleſiaſtical, So help you God.

But I am quite weary'd with pudling thus long in this Channel, or rather this Kennel.

Of Sacriledge.

Query IV.

Whether to keep and enjoy Abbey-Lands, and Lands belonging formerly to Nuns, Fryars and ſuch Fraternities, be Sacriledge?

Rev. 17. 5. AS there is a *Myſtery of Godlineſs*, ſo there is a *Myſtery of Iniquity*. The Mother of *Harlots had Myſtery writ in her forehead*; nay the publique devotions and proſtitutions to *Bacchus* and *Venus* wanted not their *Arcana's*. We read of the *depths of Satan*, and Labyrinth's in the way to Hell, (*How eaſy* ſoever the *diſcent* be,) The ſtile of *ſervus ſervorum* is the umbrage and prologue to the greateſt Pride: and *Jure Divino* the umbrage of the greateſt Cheats and Pick-pockets. And in Proſecution of theſe Myſteries which *Rome* preſerves as (*Arcana Imperii*) the Reliques and holy ſecrets to maintain their Grandeur and Hierarchy, They uſually fence all their Immunities, Privileges, Goods, Lands, Tenements, and Emoluments; (as they do all their other Popiſh Reliques and Figments when they begin to decay) (and which they have got by cheating Tricks, as with a Safe-guard, ſecuring all) with a *Jure Divino*. And would make the world believe that when with their cheats of Purgatory and Indulgences they have pick't men's Pockets and got a great deal of money, The Magiſtrate *may not ſearch them*, hands off; 'Tis now ſacred, *'tis now divine* and holy; what are you mad, to break through a *Jure Divino?* will *you rob God?*

Thus when a handſome Whore had made uſe of her time and her beauty,

beauty, (whilſt it laſted) which (ſome think) is but a very little while;) Playing them both away for *more durable Beauties*, (good ſtore of Gold;) The crafty Fryars and Monks (like the Box-keepers or Panders) were ſure to march off with moſt of the Gains; Picking the Lady's Pocket of (at leaſt) half her Winnings, with a Story (told) of Purgatory and Indulgences; Thus Selling and Buying by a fair *Bargain and Sale* (and fairly by Deed inrolled, Indented and delivered in the Preſence of Witneſſes, as hereafter ſhewn), An *Imaginary Heaven* or a Fools Paradiſe.

Thus the Girle kill's 3 *Birds with one ſtone*, and in barter for a Little, very little modeſty, getts firſt pleaſure. 2. Profit and ſtore of Gold. 3. With one Moiety of it, (after all,) Heaven it ſelf; (*in her ſimple opinion:*) whilſt the Subtil Fryars *laugh in their Sleeves*, to ſee how ſoon the *Fooles and their money are parted*, and by *this Craft getting their Wealth*, and their ſtately Abbies and Monaſteries; Thus building a great many * *Horn-Churches*, and *Horn-Chappels*.

* Thus *Horn-Church* near *Rumford* in *Eſſex* was built by a Popiſh-Whore, and therefore had the name.

With theſe kind of Methods did the Fat Abbots and pretty Nuns ſubſiſt very Plentifully and well; and kept themſelves in *very good Plight*; and *for Sinners, very well on't*, (at leaſt) *well to live*; ſending out their Emiſſaries and Finders *to Hay about* and bring in more Game to net; namely, old Uſurers, old Whore-Maſters, nay, Inceſtuous perſons and Murderers; For *Rome* (like the Sea and the Gallows) refuſes none.

Thus having got the Fat of the Land, and every day making new Purchaſes, new Prizes and new-Conqueſts; (for fear the State that frighted them often with their Statutes of *Mortmayn* &c. ſhould force them to Reſtitution of what they thus Purloin'd for themſelves and their *own greedy Gutts*,) (though (in Pretence) *for God's Sake*; They therefore entrench't, and garriſon'd themſelves and their gettings with this ſame Outwork, (for their eternal guard and ſafe-guard) *Jure Divino*. And where is the man of mortalls now ſo daring and Hardy as to venture to ſtorm this Out-work, and paſs the Trench of *Jure Divino*, for fear of *fighting with God, and Robbing God?* As if all their corrupt Conqueſts, (purchaſ'd by Jugling and Sleight) were *Deodands*, and God's Inheritance; which to touch with a *Lay-finger* (forſooth) is to *Rob God*, and down-right Sacriledge.

Sacriledge is a Term of Art, which joyning forces with the ſaid *Jure Divino*, hath done wonders (of this nature) though not one of a thouſand does know what Sacriledge is.

Sacriledge is (certainly) the worſt of Robberies, for it robs God, by Purloyning, detaining or alienating what he has been pleaſed to appropriate to himſelf. And this is the full definition or rather deſcription of Sacriledge.

The Tythes and Offering's God had ſet apart for himſelf, his own Propriety, and for his own immediate Service, under the law. To defraud the Prieſts of thoſe Tythes and Offerings is called *Mal.* 3. 8. *Robbing of God.* Mal. 3. 8.

And by like reaſon and expreſs ſcripture the maintenance of Goſpel-Miniſters is expreſly commanded; namely, Dayly bread, (*not Lands and Tenements ſetled upon them for ever*; If any ſuch there be, It is a Free-will Offering and the munificence and charity of the Law) For

Our bleſſed Saviour ſayes, The workman is *worthy of his meat*: (that is) *Suſtenance*; but Lands, Mannors, and Tenements in Fee-Simple for ever. Chriſt that was himſelf poor and Landleſs, alſo his Diſciples, and Mar. 10. 10.

Apoſtles,

Apoſtles, having neither Silver nor Gold nor a purſe nor ſcrip to put them in, did never labour for the morrow, nor yet for the meat that periſheth: but ſeeking firſt the Kingdom of God, all other things were added unto them.

And if the wicked World did not maintain them, *they were to caſt off the duſt of their Shoes againſt them*, and go to them that would entertain the Word and them. But *in what proportion* their entertainment and maintenance is to be; whether the *Tenth*, the *Fifth*, the *Twentyeth*, the *Hundredth*, or *Thouſandth* part of a man's Eſtate, is *not decided* by the Goſpel.

And 'tis the Idleſt of dreams to ſay, that *becauſe the Prieſts* under the Law, *the Levites* had the Tythes of the whole Land, that therefore by the ſame Reaſon, Miniſters of the Goſpel ſhould have the ſame Proportion and Allowance out of all mens Eſtates, and that it is Sacriledge to detain the ſame:

For, is the Parſon or pariſh Prieſt the 12*th* part of the Pariſh he lives in, though you alſo number with him his Family if he have any; or are the Clergy and their Families the 12*th* part of *England*, as the Tribe of *Levi* were the 12*th* part of *Iſrael*?

Except this be proved, a Parity of maintenance cannot hence be argued by paying the Tenth or Tythes; unleſs a Parity of numbers of the Clergy of *England* bore the *like* proportion to *England*, that the Tribe of *Levi* did to *Iſrael*: that is, a 12*th* part.

And therefore it is an Idle Dream, and a *Bug Bear*, to call *detaining of Tythes Sacriledge*, except it can be prov'd that God or Chriſt, or the Apoſtles ever took (or commanded to be taken) the Tenth to Goſpel-Miniſters (as God expreſly commanded the Tythes of all *Iſrael* to the *Levites*); That bear no proportion in number to the Tribe of *Levi*, nor are the Tenth part, nor ſcarce the hundredth part of moſt Pariſhes, and yet ſhall lick up the whole Tenth part of the Pariſh.

But though detaining of Tythes from Miniſters, is *not Sacriledg*, yet detaining of Tythes from Miniſters, is *as great a Sin*, as (and no greater ſin than) detaining Tythes from Impropriators, namely, (as other frauds and wrongs) A *tranſgreſſion* of the Lawes of the Land.

Which the *wyly Prieſts* never cared to truſt to, if they could help it; nor to be beholden to; (though to the Law of the Land alone, and Acts of Parliament, they are beholden for any Tythes or portion of Tythes that they do enjoy:) and therefore they ſecure their Tythes with this ſame *frightful* word, *Sacriledge*; and alſo *Jure Divino*. A Vicar has not the great Tythes; no, nor a poor Man has not the great Mannors and Lordſhips that others have; but the poor and poor Vicars have all that is their due, and allowed them as their Propriety; and let them be thankful to God and the Lawes for that; though not ſo great as other men's, and perhaps neither do they deſerve ſo much as other men; howſoever It is their Lot, and therefore poor Vicar, *Sorte tuâ contentus abi*; though I wiſh thee well and more.

For it is not Sacriledge for a Gentleman to have the great Tythes or Abbey Lands, (diſpoſed of by Acts of Parliament,) if he honeſtly purchas'd them of the Crown: But 'tis Robbery (at leaſt in heart) for thee (poor Vicar) thus to covet thy Neighbours Goods, thy Neighbours great Tythes, that never, never—(no, not in the days of Popery) never were thine, nor thy Predeceſſors; but belong'd to the ſaid Abbots and

and Nun's, from whom (by the Law of the Land) they (as being *got by a Cheat*) *Eſcheated* to the King: and *never* were *God's Propriety* or God's Purchaſe: (for if this could be prov'd, All the Kings and Parliaments in the World cannot take them away and Alienate them.)

But fair and ſoftly; Though the ſaid Whores, Extortioners, Uſurers, and Murderers, &c. being deluded and cheated with an Imaginary Purgatory; and Paradiſe (over the Gates whereof the Pope writes in Capital Letters, *This Houſe is to be Let, Enquire* of St. Peter's Succeſſor *for the Key*) The ſilly Purchaſers (like thoſe of old that bartred their Silver-Spoons, Bodkins, and Tankards for the Publique-Faith) were Fob'd of their Moneys, Goods and Lands.

Nay, though the Moneys and Lands, be tendred to God, and by deed of Gift, (fairly engros'd, Sealed and) deliver'd in the preſence of Witneſſes and *ſuper altare* too (as Biſhop *Andrews* notably obſerves,) who can prove that God accepts this Tender, and ſtrikes up the bargain? becauſe there ought to go always two words to a bargain, namely as both buyer and ſeller can agree. And when and where did God ſay that he accepted theſe cheating Purchaſes, theſe fruits of Sin, for *Deodates?*

Nay, I know God has ſaid to the contrary, that he will *not accept* of any ſuch gift, offering, bargain or ſale: in Deut. 23. 18. *Thou ſhalt not bring the Hire of a Whore, or the Price of a dogg, into the Houſe of the Lord thy God, for any vow, for even both theſe are an abomination unto the Lord thy God.* Deut. 23. 18.

It was *Politickly* done tho' to *fence* in the Abbey-Lands with a *Jure Divino*; and yet even in the days of Popery, The *noyſe* the wyly Prieſts made (*eccho'd* by the ſilly Prieſts) *Sacriledge, Sacriledge*, did *not affright* our Kings and Parliaments from making many Statutes of *Mortmayn*, to ſtop the Current of this cheating Deluge of charity (to the Church) almoſt ready to drown the Common-wealth. And yet (like *Pharoh's Lean-kine*) the greedy-Prieſts that had *eat up the Fat* of the Land, look't as hungry and *ſharp*, as if they had really kept and obſerv'd their *vow of Poverty*, (and yet were the richeſt Cormorants in the Land;) which vow notwithſtanding ſome think they kept as well as their *vow of chaſtity*: (And yet they were the archeſt fellows in nature at a Wench. (Inſomuch as one of their own Popes, (and the Learnedeſt of them all) *Æneas Sylvius*, uſed to ſay; that marriage *of Prieſts had ruin'd many, but a ſingle life had damn'd many more.*

For which Cauſes (amongſt other) the King and Parliament made thoſe *Nunneries* thoſe Abbey-Lands, a juſt forfeiture to the Crown; And though the ſaid old charm—*Jure Divino*—and Sacriledge, Sacriledge—have loſt their wonted vigour (as being now diſcover'd to be meer Stalking Horſes under whoſe ſhadow cratty men catch their Prey) yet ſtill it is in uſe amongſt us Proteſtants on many ſuch accounts: And does feats ſtill amongſt the ſimple and unwary.

Nay, ſome of the Learned (whether affectedly and colourably only, or no; or that *Intereſt* (the great Sollicitor and beſt Advocate, but the worſt Judg) bribes their Judgments, I cannot tell) but ſure I am, many of them ſeem to pin their Faith upon it.

Thus a Learned Biſhop of our own, in his Book of the Collection of the Canons, quotes another Learned Biſhop deceaſed, In his Title-Page concerning the form of Conſecration of a Church or Chappel &c. In theſe very words, namely; 'Biſhop *Andrews* Notes upon the Liturgy. A.S. Biſhop of Norwich.

'It is not to be forgotten, though It be forgotten, that whoever gave any 'Lands or Endowments to the ſervice of God, gave it in a formal writing, 'as now-adays betwixt Man and Man, ſealed and witneſſed, and the Ten- 'der of the gift was *ſuper altare* by the Donor on his Knees.'

And why? *And why?* why a Deed in writing, *ſealed* and *witneßed*, and *delivered?* And why had not God the keeping of it then? *So he had*; as near as they could come to him, *ſuper altare*, where they ſuppos'd he ſtood *Metamorphos'd from a Wafer*, and *tranſubſtantiated*, (Incloſed alſo) *in the Pix.*

Or elſe I gueſs the Bargain and Sale had been as effectual to all Intents and Purpoſes, though the ſaid formal Writing had been ſeal'd and deliver'd in the Belfrey, the Body of the Church, or in the Church-Yard or Moot-Hall.

But why (I wonder) is not all this Ceremony to be forgotten, now that the dayes of Tranſubſtantiation are at an End with *Engliſh* Biſhops? And why muſt this formal Story be filed up amongſt the *Memorandum's* of thoſe odd Reliques and Canons? And together alſo with the form of Conſecrating a Church or Chappel; and of the place of Chriſtian Burial? And all this exemplified by the R. R. Father in God *Lancelot Andrews*, late Lord *Biſhop* of *Wincheſter*?

But above all thoſe admirable Collections, the greateſt wonder is, how any man durſt Print and revive (*as he does*) the Proclamation of King *Charles* I. wherein the Proceedings of his Majeſties Eccleſiaſtical Courts and Miniſters are Proclaimed to be according to the Laws of this Realm.

Indeed when that Proclamation was put out, They were ſo; The Star-Chamber and High-Commiſſion Court being then in being, and 1 *Eliz.* 1. not repealed, but in force.

But now the Caſe is alter'd, and theſe Courts and that Law that founded them is taken away, ſure the ſtructure then built upon it, muſt follow the ſame fate; and the Church left but with juſt the ſame Juriſdiction Eccleſiaſtical they had in the dayes of Queen *Mary*, (a little before the 1 *Elizabeth* 1.) which by their own confeſſion was taken away from them; as aforeſaid.

And therefore It is high time ſurely, That theſe doubts were clear'd and reſolv'd, that both the Biſhop's Juriſdiction might not be ſo precarious as it is; and alſo that the People might know (at length) *How much* of the Canon-Law, and *How many Canons*, or *whether any Canons* be *in force* at this day; and when and for what Eccleſiaſtical matters they are lyable to be Excommunicated and Gaoled: or whether the Wiſedom and Piety of the Realm does not think it moſt fit to make the ſame uſe of this ſame two edged Sword, as (the Ancient *Jews* did) of *Goliah's* Sword; which was carefully preſerved in the Temple *and laid up behind the Ephod*, and never to be made uſe of but by *David* himſelf (and not by every Whipſter that knows not how to wield it,) no, *nor by David neither*, but in caſes of *urgent neceſſity.*

The Apoſtle *Paul* (that had the gift of diſcerning of ſpirits, and therefore never drew this Sword in a wrong cauſe, (as now adayes) but againſt the enemy of Chriſt onely) never drew it neither but twice, and that againſt Horrible Sinners; An Inceſtuous Perſon and Blaſphemers.

And therefore though Excommunication was in uſe in the Church whilſt the ſaid gifts of diſcerning of ſpirits were frequent, and onely

againſt

againſt notorious offenders and offences, yet Quære, Whether every Commiſſary, and Lay-Vicar-General (though he has a Prieſt by him ſometimes *for faſhion-ſake*) did ever wield this ſharp-weapon; or draw it upon every occaſion, as when the Regiſter's Fees and Sumners Fees are not paid, eſpecially in theſe dayes, when men may Juſtly ſcruple, whether they ought to obey their Proceſſes as not being in the King's Name, and under the King's Seal, as the Law enjoyns.

'Tis ſad thus to ſend men to Satan, becauſe they do not pay the Knave a Groat; eſpecially, when the Sumner does not Cite men according to Law, and to make appearance before a Court too that does not pretend to ſit by his Majeſties Commiſſion; nor by vertue of their original Conſtitution and ordinary Juriſdiction from the Pope. This to aſſert, would make them incurr a *Præmunire*; what can they ſay for themſelves?

The Apoſtle *Paul* did many things that we cannot do; our Bleſſed Saviour did many things which would be ſin in us to attempt to do: He walk't upon the Waters, he faſted 40 dayes and 40 nights, he commanded his Servants to take away a man's Aſs and Colt tyed; we may not attempt theſe things; they are above our skill. And ſo (I fear) it is beyond our skill and abilities to wield and draw, ſheath and unſheath that *Goliah*'s Sword of Excommunication; Eſpecially, when men offend *onely our Intereſts*, and not the Law of the Land; and yet it is often brandiſhed againſt this ſin of *Sacriledg*, *Sacriledg*; and by thoſe many times that *do not*, or *will not* know what Sacriledg is.

Nay, I have heard ſome men ſpeak great words againſt the King and Parliament in *Hen.* 8. time, and againſt all Parliaments ever ſince, that alienated or conſent to alienate theſe Abbey-Lands and Nunneries, as if they would ſmite them with this Thunderbolt of Excommunication, (as guilty of Sacriledg) if they durſt.

It was as ſafe for *Naboth* and his Vineyard to lye conveniently and next Hedge to *Ahab*'s, as ſometimes to have had Lands bordering upon St. *Peter*'s Patrimony: why ſo? what can't St. *Peter* or his Pretended Succeſſors do?

Oh! this Religion, this Engine of pretended Religion, this Dart of Excommunication, when 'tis out of the Magiſtrates keeping, ſhall wound and mawl them wonderfully: Ask the Excommunicated *Venetians*, (when *Dandalus* their Ambaſſador came with a Rope about his Neck to beg their Peace) ask the poor *Duke of Ferrara*, if this be true.

Let the King Command a *Becket*, or a *Woolſey* to his Allegiance, They will be his humble Servants with a *Salvo honore Dei*; And ſayes others, *in omnibus niſi rebus Chriſti*; ſo that theſe kind of Religious Bigots alwayes keep in Reſerve a Starting-Hole, a Loop-Hole, a Sally-Port always ready and open (when their Forces and occaſion calls) to attempt againſt the King's Supremacy, eſpecially when their Humours are cros't, or their Pride affronted, or their Revenge unappeaſ'd, or their Covetouſneſs unglutted; And 'tis a hard matter to glut it.

The Popiſh Religious Houſes had once a third part of the Land, and were they glutted? Biſhops and Arch-Deacons have enough to live on without ſharing with and pareing every Benefice in the Dioceſs; yet though they know not how they came honeſtly and lawfully by their Procurations, Synodals & Viſitations; though It be againſt Law, Conſcience and Compaſſion, for the Rich thus to pinch the Poor; yet take

it

it from them, And 'tis a hundred to one, if they do not plead *Jure Divino* for the Tenure, and cry out Sacriledge, Sacriledge.

Of the Church of England.

Quære, *What it is?*

THere's nothing more ordinary than for People to say, (in these dayes of Part-taking and distinguishing who men are for?) *I am for the Church of* England:

Whereas there is not one of a Thousand understands what he means, or who he means, in saying so.

In the dayes of Popish Prelacy, men were taught to believe as the Church believes; (meaning) as the Clergy believes: So that, for Salvation, they needed no further Knowledg or Insight than a blind Implicite Faith in the Church, (that is) in the Clergy.

To see with Clergy-mens Eyes, to believe as they pleas'd to prescribe, to be led thus by the Nose to Heaven, was the Divinity of Old; And so a man did but follow his Nose in the dark, no matter for Eyes: The Arch-Deacons, (those *oculi Episcoporum*) together with the Bishops, they could see and Ἐπισκοπεῖν and Oversee for us all; 'till at last, the Church had no other Members but Head and Eyes; a monstrous-Church, sure.

And though the Holy Apostles and Elders had as good Eyes, one would think, as these Pretenders and pretended Successors, yet they never had the Forehead (that those men put on, who) confine and Monopolize the Church of Christ to themselves alone, and make Canons and Laws by themselves alone, as if they alone were the Church.

Thus when *Magna Charta* sayes, That Holy-Church should be free; They alwayes meant, and it is so construed at this day.—Let the Clergy be free— (from Taxes, Impositions, &c.) So that by the Church of *England*, is meant the Clergy of *England*: A little Church then (surely) in so great a Realm, and a great Pity that so many Lay-Brethren should dye out of the Pale of the Church.

And yet the Dignitories of the Church, (not content to be onely amongst the Croud of other Clergy-men the Church) streighten the Bounds, and take in, the Pale, to more scanty Limits, making themselves when in Synod especially and Convocation, (at least) the Representative-Church; and of power to see for all the rest, and to bind them to what Decrees and Lawes they list. Thus the Articles of Religion, *Regn. Eliz. Anno Domini* 1562. *Articuli de quibus convenit &c.* Articles agreed upon in the Synod of *London* By and Between the Arch-Bishops and Bishops of Both Provinces, and all the Clergy. What little share the inferiour Clergy have in making such Articles, I have shown already; and also that 1 *Eliz.* 1. is repealed; on which those Articles seem to be founded.

Which yet I say not, to weaken the force and vertue of them; they are so good, so moderate, so charitable, so Christian-like in themselves, that they need no voucher, no Statute to vouch them, they are so honestly come by.

For, Pride and Passion, Prejudice and Peevishness, Malice and Revenge (the wonted Inmates) were excluded the Convocation-House, when those

those 39. Articles of the Church of *England* were composed, and nothing but the Naked-Truth permitted entrance. 'Tis strange, you'l say, and in a Synod too, compos'd of Clergy-men; and of the few too, (But I care not for that) once it happened to be so, it seems.

But still I say, (under favour) The Holy Apostles never took so much upon them to make Canons and Constitutions, but *by assent and consent*, (as well as joynt Promulgation *in the names*) of *all the Lay-Brethren*; or when the multitudes of Disciples were encreased, at least, they might, I hope, *have a vote* in chusing who should represent them in this representative Church.

Which if true, (and It is before sufficiently prov'd) then surely, as the Church of *Corinth*, *Ephesus*, *Galatia*, &c. were the *Christians of Corinth*, *Ephesus*, *Galatia*, &c. Clergy and Lay together, (though those distinctions were not then known;) so really and truly, *The Church of England are all the Christian's of England*; over them, under Christ, the King is the Visible Head and Supreme Governour in the Executive power, and the King and Parliament in the Legislative or Canon-making Power.

With what tollerable modesty then can the Clergy alone, (much less a few of them) arrogate to themselves the Title, Priviledges and Immunities of the Church of *England*? Tell not me that it was so when the Pope usurp't the Supremacy, what's that to us now?

I know that when *Magna Charta* was made; by *Holy Church being Free*, (was meant) *Let the Clergy be free*, from Taxes &c. but how little did the Prelates value that Law? for though the Clergy (*by that Statute*) was free from Impositions and Burdens, yet the Prelates did not so much regard it seems, but that they notwithstanding would venture to Pill and Poll the Inferiour Clergy, by Procurations, Synodall's, Visitations, and many more vexations; as if the Clergy was free (for no body) to fleece but for themselves alone, and that too, arbitrarily.

Better it is for them, much better, to be thrown up in Common (as of yore) amongst the Laity again, and take Neighbour's-fare, by Acts of Parliament; than by being an Inclosure and exempt, be made the Peculiar of arbitrary-Impositions, (though by the men of their own Cloth;) none were so unkind to *Joseph* as his own Brethren, he had fairer Quarters from the Gypsees.

As the Clergy (all of them) have *as much* His Majesties *Protection* as other folk, and the benefit of the Laws, nay, and benefit of the Clergy too (if they need it) as *much* as any Lay-men; good reason therefore they should contribute *equally with others* to Taxes, and Arms, and to the Poor, &c. But 'tis sad when this will not suffice; but for enjoying the name (and nothing but the name) of the Church, They shall not only pay First-Fruits, and Tenths to his Majesty, as bound by Law; but to pay without end, and without Law, all the Arbitrary Impositions that Rich and great Men of their own Cloth shall lay upon them (for Letters of Orders, Institution, Induction, Licences to Preach, Procurations, Synodalls, Visitations; and then again for shewing these Letters of Orders, Institutions, &c.) 'tis that which makes you so poor and beggarly (generally) and consequently contemptible, world without end.

I cannot but with some complacency read the Statute of 16. *Rich.* 2. 5. where the King and Parliament (when Popery was in its *Zenith*) did not forget, that they and the Clergy, the Inferiour Clergy too, were *Englishmen*; namely, That,

'*Whereas the Commons of the Realm in this pre-*
'*ſent Parliament have ſhowed to our redoubted Lord*
'*the King, grievouſly complaining, That whereas our*
'*ſaid Lord the King and all his Liege People ought of*
'*right,* (mark that) *and of Old time were wont* (mark
'that too) *to ſue in the King's Court, to recover*
'*their Preſentments to Churches, Prebends and other*
'*Benefices of Holy Church, to the which they had*
'*right to Preſent; The conizance of Plea of which*
'*Preſentment belongeth onely* (mark that too) *to the*
'*Kings Court of the old Right of his Crown, uſed*
'*and approved in the time of all his Progenitors Kings*
'*of* England;

'*And when Judgments ſhall be given in the ſame*
'*Court upon ſuch a Plea and Preſentment,* (mark that
'too) *The Arch-Biſhops and Biſhops, and other Spi-*
'*ritual Perſons which have Inſtitution of ſuch Bene-*
'*fices, within their Juriſdiction, be bound* (mark
'that too) *and have made Execution of ſuch Judg-*
'*ments, without Interruption,* (mark the reaſon) *for*
'*another Lay-Perſon cannot make ſuch Execution;*
'*And alſo be bound of right* (mark that too) *to make*
'*Execution of many other the King's Commandments,*
'&c. (too long here to inſert) *but concluding, That*
'*againſt the offenders Proceſs by* Præmunire facias
'*ſhould be made, and not onely againſt the offenders,*
'*but againſt their Procurators, Executors, Maintay-*
'*nors,* (mark that too) *as in the Statute of* Provi-
'ſors, 27 *Edw.* 3. 1. *and againſt All other which do*
'*ſue in any other Court* (mark that too) *in derogation*
'*of the Regality of our Lord the King.*

Whence it appears, That even in thoſe Popiſh times, Patrons, (*moſt whereof were Lords of the Mannors, and gave the Tythes and Glebe*) ſhould *preſent* (right and good reaſon) and *give their own*; (may they not do what

what they will with their own?) to what Clerk they please, giving him thereby *Jus ad rem*, and then the Bishop and Archdeacons by Institution and Induction as Instruments in Law, because a *Lay person* (as the Sheriffs, &c.) cannot (as the Law then was; and now is) *make such execution*, and give the Clerks presented *Jus in Re*, or possession.

And if a Bishop or Archdeacon (for they are but men) do refuse the same wantonly or through prejudice, or design, for a Kinsman or a Friend of his own when modestly requested by the Clerk presented, and will not admit him *habilem*; then the Law has provided a Writ called *Quare Impedit*, to force him to shew a Lawful cause in the Kings-Courts, and by them approved, or otherwise to force the Bishop to make Execution according to the Patrons Presentment.

Thus we see in Times of greatest Popery, our Ancestors did assert their own Proprieties against Arbitrary Proceedings of Men that call'd themselves—the Church—the Church.

I'le give but one Instance more, to show what little pretence *the Clergy alone* have to entitle themselves alone the *Church Representative* of *England*, (distinct from the Lay-Brethren) and that is in making a Canon *to Cringe to the East*, and Bow at the Name of *Jesus*.

How now? will some say, Of all Instances you might have forborn this; For can any good Christian do too much Reverence to the Name of *Jesus*? We now know what you would be at; for does not the Apostle say, that *at the Name of Jesus every Knee shall bow*.&c. this might have been let alone. *Object.* Phil. 2. 10, 11.

But, *I will not let it go so*; yet must acknowledg readily and chearfully, That there is *no other Name under Heaven by which we can be saved, nor any other name* (except that of God and *Jehovah*!) that deserves more signal Reverence. *Answ.*

And yet, notwithstanding, *Bernardus non videt omnia*, nor the Church, the Church (I mean the Clergy) in her *Placet's*, always rational, much less, Infallible.

The words in *Phil.* 2. 10, 11. are—— *That at the Name of Jesus every knee* (*not every head*) *should bow, of things in Heaven*, (therefore not literally to be understood, for there is no knees there to bow,) and *things in Earth, and things under the Earth*; (there is no knees there neither, except *those in Graves*, and they are too senseless, at least too stiff to bow,) *And that every tongue should confess that Jesus Christ is Lord*; Therefore such as take the words literally, ought at the same time that they bow the head or knee, to use also their Tongues, and confess at the same time, that *Jesus Christ is Lord*.

But (I say) in obedience to this Holy Scripture, (or rather, some Clergy-men's Comment thereon) Men, at this day, at the Name of *Jesus*, bow their heads, not their knees; yet the Text speaks not one word of that; nay, *in all discourse*, as well as in the Church, men that understand it in the literal sence, ought to bow the knee, (*and not dop the head*) and also at the same time they ought with their Tongues confess—*That Jesus Christ is Lord*.

Thus, when we hear a Common-Swearer 100 times in an hour swear—*by Jesus*——as is usual and often; we ought (by this Interpretation) to make a Legg every time, and with our Tongues *Eccho* to him and cry out—— *Jesus Christ is Lord*.

But such was the wisedom, for want of comparing the Words with the Context;

Context; For by the Name of *Jeſus* (there) is underſtood the Power and Soveraignty of *Jeſus*, to which *God had highly exalted him* (not thoſe 4 or 5. Letters, but a Power) *above every name* (that is, above every Creature, or above all created Powers) *whether in Heaven or in Earth, or under the Earth, that they might bow the knee to him*, (that is,) adore him.

So *Prov.* 18. 10. *The Name of the Lord is a ſtrong Tower*; not the Letters (*Jehovah*, or *Jah*) is a ſtrong Tower, or the ſound and noiſe of thoſe words, but— *The Power of the Lord is a ſtrong Tower, the Righteous run unto it and are ſafe*; not into the Letters or ſound of the Name.

Yet, notwithſtanding, if any man will ſhow Reverence at the Name of *Jeſus*, I am not offended, ſo he ſhow as much Reverence at the Name of God, and at the Name of the Holy-Ghoſt.

It is a hard and harſh ſaying of ſome, and borders upon Blaſphemy, to *make diſtinctions*, in the Holy-Trinity; as if we were *more* beholden to the Second Perſon of the Holy-Trinity, than to the Firſt, or Third Perſon; *This Grates*——to make a difference in Reverencing The Trinity in Unity, and Unity in Trinity.

But in this Inſtance, I onely ſhow, that the Clergy, the Clergy, (much leſs—a few of the Clergy becauſe Higher and Taller,) have ſhown no Charter hitherto, nor reaſon to have ſuch a Charter granted to them to be (without the Laity) The Church, *The Church of England.*

The whole Oecumenical Council of *Nice* had erred ſhamefully but for one ſingle-ey'd man, *Paphnutius.* And it is pretty reading in the Council of *Trent*, to ſee how at a loſs the Fathers were for a Reſolution, 'till Poſt-Night; till the Packet return'd from *Rome* (one ſaid with their Holy-ghoſt in a Cloak-bagg); So that the next day after the Poſt came in, People repayr'd to the Counſel-Houſe for News, and to know how ſquares would go; as men do now to a Countrey-Coffe-houſe on a Poſt-night to know how things go above.

But is it not ſtrange Impudenee, Atheiſm, and Effrontery thus to take Gods holy Name and Spirit in vain, by making the Holy-Ghoſt father all our Eſcapes and By-blowes, adulterately begotten by Self-Intereſt, Pride, Paſſion, Revenge, crafty Fetches, covetous deſigns, (whether the *French* or the *Spaniſh* Intereſt carry it, ſtill The ſtyle is — *It ſeemed good to the Holy-Ghoſt and to us* —) God forgive them.

And this is the Church——The Church, (that is) The Clergy, the Clergy; or rather the Few, the Few; the leaſt in number (I will not ſay, I cannot ſay) the worſt of the number, nor the Idleſt of the number.

But add to them Lay-Chancellors, or Vicar-Generals, Sumners, Regiſters, &c. To make up this Church, the Church of *England*—— And you make them *worſe and worſe.*

I look upon the Church of *England* as the greateſt Bull-Work againſt Popery; what? This latter ſort of men? are they ſuch a Bull-work? no, the Proteſtants of *England*, The Proteſtant Laws of England embodyed with the Fundamental-Lawes of the Realm; Ruine one, and you ruine the other; for they muſt live and dye together.

Thus have I evidenced, that the *Laity* (in the Apoſtles times) were *the Church*, and as much Canon-makers and Rule-makers, and had the conduct of the infallible Spirit and gifts of the Holy Ghoſt, as well as the Apoſtles; and therefore certainly the Chriſtian People (as well as the Clergy) of *England*, are the Church of *England.*

Nay,

Nay, In *Hen*: 3. time, when the Popiſh Prelates were moſt Rampant, and *Othobon* the Pope's *Nuncio* had almoſt Beggar'd that King, keeping him poor, and doing what he liſt with him; yet when they were to be excommunicated that Infringed *Magna Charta*, The Clergy, (nor the *Synod*) did not make it, but the King, and Parliament in theſe words.

Noverint univerſi Quód Dominus H. Rex Angliæ illuſtris, R. Comes Norff. & Mareſcallus Angliæ, H. comes Hereford, & Eſſex, I. Comes de Warewico, Petrus de Sabbaudia, Cæterique Magnates Angliæ, conſenſerunt in ſententiam Excommunicationis generaliter latam apud Weſtm. Tertio decimo die Maii Anno Regni Regis Prædicti, in hàc formà, ſcilicet Quód vinculo Præfatæ ſententiæ ligentur omnes venientes contra libertates contentas in chartis communium libertatum Angliæ, & de Foreſta, &c. Dominus Rex & prædicti Magnates omnes, & Communitas Populi proteſtantur publicè &c. by *Communitas Populi* there I underſtand the *Houſe of Commons*, though it had not the form in thoſe days which now it puts on and decently wears. Anno. 37. H. 3.

By which it appears, that the King and his Lay-People would not truſt the Clergy in thoſe days with making Sentences of excommunication, nor with declaring cauſes of Excommunication; much leſs without the Privity of King and Parliament, as ſome have preſumed. But matchleſs is the Malice of thoſe men that are angry with all Lay-men that dare be ſo bold as to ſee their own way with their own (and not with Clergy) eyes, and Proſpectives.

The Concluſion.

THus have I *ſtated theſe Quæries*, ſo needful to be diſcuſs'd; And prov'd, That all *Eccleſiaſtical Juriſdiction* (like all other Juriſdictions) muſt be deriv'd from the *King* or the *Pope*; To aſſert the latter, Incurrs a *Præmunire*, or to pretend any old ordinary Juriſdiction originally granted them from the Pope in their firſt creation: And His Majeſty has oblig'd himſelf never to Empower them by Commiſſion any more.

By the Statutes of *Hen.* 8. all thoſe ordinary Juriſdictions Eccleſiaſtical were cut off, and they (left) without any in Queen *Maries* time, as the Synod did confeſs (as aforeſaid:) But in King *Edward*'s time their Eccleſiaſtical Proceedings were revived, but with condition, that all Citations, Proceſſes, &c. ſhould be in the Name of the King the Head of the Church, (as in Original and Judicial Writs at the Common-Law,) He being alſo Head of the State. And in due acknowledgment alſo of this Supremacy, The Seals of their Spiritual-Courts ſhould have engraven in them, The Kings Arms.

Great, very great Reaſon there is (and there was) for ſuch a Statute as that, 1 *Edw.* 6.

But oh! this Hierarchy! this Power! how ſweet? could the Biſhops ever be brought to this? I'le warrant ſome of them would keep no Courts at all firſt: but who cares?

For, *cui bono* ? *cui fini* ? ſhould be the queſtion every man puts in all his affairs ; ſo here ; *cui bono ? cui fini ?* what are the Spiritual Courts *good for* at this day as they are managed ?

I proteſt, *I cannot tell*, and yet no man in *England* has more reaſon to know their virtue than I, nor ſcarce any has had more experience of them, and in them, and ſtill (as I ſaid before) I have an Eccleſiaſtical Juriſdiction of mine own.

For except a *little money* (I ſhould ſay) a *great deal of money*, (*ungodly money* wickedly got) by the *Extortions of Regiſters*, (I'le prove what I ſay) & ſhametully againſt Law; and money, money, from the poor Clergy, the Inferiour Clergy, and ſilly Church-Wardens, againſt the Common-Law, Statute-Law, Canon-Law, Civil-Law, Equity, Conſcience, Reaſon and Humane Compaſſion, all condemning this Unnatural and Unkind Rapacity, Except theſe be good things, *I know not what they are good for* ; nor by *what Authority they dare ſend* out Citations without the King's Name, Title, and Seal, againſt the King's Liege-People: or how a Writ *de Excommunicato Capiendo* can legally be awarded, (the ground whereof being a *Significavit* under Seal, a legal Seal) unleſs the King's Arms be engraven in the Seal of the *Significavit*, and the Proceſs, on which it is founded, alſo run in the King's Name, &c.

Tell not me, (for I know it) That the Opinion of the Judges was ask't about this, as in the ſaid Proclamation ; But *when was it ?* It was when the High-Commiſſion-Courts were in being ; no man durſt ſpeak any thing in theſe dayes againſt *their Placet*'s, It would be his ruine if he did : But now ſince that Branch of 1 *Eliz.* 1. is repealed ; I for my part know not by what Authority we do theſe things : And I write this, as much for my own ſatisfaction and more, than for any man's elſe.

And that too in a diſcourſe here (ſuch as it is) neither Polite nor neatly dres't ; I have neither Will nor Leiſure to write it over again, and ſleek it, and poliſh it, and make it Fine ; 'tis now moſt natural, moſt like my ſelf, (plain and blunt) not curious, not affected, (like my Garb) not Rich, and yet, I hope, not Slovenly. For I (am one of thoſe that) love my Pleaſure and Humour ſo much, as not to take over-much pains to pleaſe or diſpleaſe any man alive.

However, what Prudent Man would *barter his Eaſe*, to purchaſe (in Exchange) *the Reputation of a Writer* (not worth one farthing) *in this Scribling-Age*.

For New Books are like New-Playes, wherewith the Poet and Actors can ſcarce pleaſe One in Ten ; And though the Fopps get there *all the Little-Wit* they have, yet they will rayl and diſparage them, but cannot (notwithſtanding) forbear ſeeing them for their hearts.

I write (as I ſpeak) right on, and the Naked Truth, and Home-Truths ; purpoſely neglecting the wyly circumſpection of Flatterers and Diſſemblers, *Fellowes of no Soul.*

And as I have writ this *off-hand*, and what came next to hand, and occurr'd (at preſent) without pumping ; yet has not one word here ſlipt my Pen, *without its due weight* and conſideration : nothing is here preſented *Crude* and Immature, but well-digeſted, as (a few of thoſe) things that my Head and Heart have long been full of ; though a late Occaſion now *gives them Birth* ; no *Abortion*, I hope.

For

For I am well aſſur'd that I have not only *given Birth* here to my own *Conceptions*, but to the Conceptions alſo of almoſt *the whole Nation*, whoſe Judgments are not blinded and brib'd by Intereſt: (And theſe laſt ſhall Be mine Enemies and they onely:) But I hope alſo, they ſhall be like a bowing Wall and a tottering Fence, whilſt I ſay and Pray the whole Pſalm, 62. Pſal. 62. 3.

I have no picque againſt any man in Particular, no private Intereſt, nor Revenge to gratifie, but wiſh for my own Private-Intereſt, as well as for the Publique-Weal, That Eccleſiaſtical Juriſdiction were of force, ſtrength and vertue, and not thus uncertain, diſorderly and precarious.

I have (I confeſs) in this *Search* and Inquiry Anatomiz'd and *rip't up* to the Bottom ſome *Secret* Parts, yet I have alſo at the ſame time caſt a vail *over their Nakedneſs*, and hid their ſhame; (*what I could*, I mean.)

And in theſe *Gentle Diſſections*, if ſome think that I have gone *too deep*, Let them conſider that *Old Ulcers* and Fiſtula's are incurable, except we *ſearch to the Bottom*; but in doing this alſo, I hope, I have retayn'd the Property of a good Chirurgeon; namely, *a Ladies Hand, as well as a Lyon's Heart*: And is there any but *Babies and Boobies* that will be frighted out of their Witts with a *Scare-Crow* or *Magotte-Pye*?

FINIS.